

ARTICLE I
GENERAL PROVISIONS

	<u>PAGE</u>
1.1 Purpose. . . . .	.2
1.2 Statutory Authority	3
1.3 Authority of Sanitary Engineer . . . . .	.3
1.4 Equitability and Uniformity	3
1.5 Establishment of Requirements and Limitations Pertaining to Discharges into District-Owned Wastewater Works.	4
1.6 Establishment of User Classes	4
1.7 Establishment of User Charges. . . . .	.5
1.8 Establishment of Construction Standards	5
1.9 Priority of Regulations . . . . .	.5
1.10 Information Disclosure Requirements . . . . .	.6

ARTICLE I
GENERAL PROVISIONS

1.1 Purpose

These Regulations set forth uniform regulations for the construction, maintenance, protection, operation and use of wastewater works and waterworks owned by the Board of Clermont County Commissioners and operated by the Clermont County Sewer District under the direction of the Clermont County Sanitary Engineer. Compliance with these regulations is necessary to enable the District to operate the County-owned wastewater works and waterworks in conformance with the requirements of applicable state and federal laws such as the Clean Water Act (33 USC §1251), the Construction Grants Program Regulations (40 CFR Part 35), the Industrial Waste Pretreatment Program Regulations (40 CFR Part 403) and Chapter 6111 (Water Pollution Control) and Chapter 6117 (Sewer Districts) of the Ohio Revised Code.

The Clermont County Sewer District was established in 1950 and reestablished in 1977 pursuant to the provisions of Ohio law. The District operates both water supply and sewer service utilities for the benefit of residents of Clermont County.

These Regulations were first adopted in 1954 and, through periodic amendments, have been maintained in effect since that time. These amended Regulations are adopted by the Board of Clermont County Commissioners by Resolution No. 146-91 and 155-94, dated 8/1991 and 9/15/1994 and recorded in the Commissioners' Journal No. _____, Page ____, and shall supersede all previous

actions by the Board with respect to the content of these Regulations.

1.2 Statutory Authority

Chapter 6117 of the Ohio Revised Code provides the statutory authority for the establishment and continued operation of a sewer district by a Board of County Commissioners, permitting the Board to hire a sanitary engineer and make rules pertaining to the use of District sewers and operation of the sewer district. Other provisions pertaining to rule making and the authority of Boards of County Commissioners in relation to water, wastewater and industrial wastewater discharges are contained in Ohio Revised Code Sections 6103.02 (local authority-water); 6111.05 (environmental protection-right of entry); 6111.99 (penalties); 6117.01 and -.04 (local authority-wastewater); 6117.99 (penalties).

1.3 Authority of the Sanitary Engineer

The Board of County Commissioners hereby authorizes the Sanitary Engineer to administer these Regulations. The Sanitary Engineer is directed to use his best professional judgment in resolving questions which may arise as the result of interpretation of the Regulations. In addition, the Sanitary Engineer may, as necessity or emergency dictates and upon consultation with the Board of County Commissioners, waive or suspend any provision herein.

1.4 Equitability and Uniformity

The principal purpose of these Regulations is to establish clearly the basic rules pertaining to the construction,

maintenance, operation, protection and use of the District's publicly-owned wastewater treatment works (hereinafter "POTW"), waterworks and the application of appropriate fees for their use. These Regulations shall be uniformly applicable throughout the District to protect the District's physical facilities from misuse and harm and equitably to distribute the costs of construction, operation, maintenance, and administration of these facilities to all persons benefitting from their use.

1.5 Establishment of Requirements and Limitations Pertaining to Discharges into District-Owned Wastewater Works

These Regulations incorporate provisions limiting the nature and amounts of materials that may be discharged into the District wastewater works to protect the physical integrity of District-owned facilities; protect the health, safety, and welfare of the public and the environment; maintain optimum wastewater treatment process performance and efficiency; prevent the introduction of pollutants into District facilities which are incompatible with the wastewater treatment processes, or pass through them to the detriment of the environment; and, maximize opportunities to recycle or re-use wastewater treatment process sludge.

1.6 Establishment of User Classes

The following classifications of users of the utilities regulated by these provisions are hereby established:
Single family residential (one or two units, including mobile homes); multi-family (three or more units); commercial; food service; industrial; institutional; recreational; public water

supplier.

1.7 Establishment of User Fees and Charges

The following classifications of user charges are hereby established to include but are not limited to: permit and inspection fees, application fees, system capacity charges, service fees and charges, including minimum charges, rate adjustment charges, surcharges, laboratory analysis charges.

Detailed information regarding rates and charges is found in Article VI of these Regulations.

1.8 Establishment of Construction Standards

The Board of County Commissioners, in adopting these Regulations, hereby authorizes the Sanitary Engineer to develop, adopt and publish standard drawings and specifications related to the construction, maintenance, repair, and operation of District facilities. These standard drawings and specifications will be provided as Appendices to these Regulations and may be amended by the Sanitary Engineer from time to time.

The standard drawings and specifications are contained in this document and shall be available for purchase or inspection at the Sanitary Engineer's Office. Such standards shall be adhered to by all persons constructing facilities, including service laterals, to the point of jurisdiction of the appropriate plumbing inspection authority.

1.9 Priority of Regulations

In addition to requirements imposed by these Regulations, some industries discharging into District sewers are subject to

pretreatment regulations promulgated by the United States Environmental Protection Agency (hereinafter "USEPA") (40 CFR Part 403). Where inconsistencies between requirements imposed by county versus federal regulations exist, an industrial discharger shall meet whichever regulation is more stringent. In addition, as federal or county regulations are revised, dischargers subject to them shall comply with the applicable revised provisions.

1.10 Information Disclosure Requirements

The Sanitary Engineer shall be responsible for collecting information concerning the nature of wastewater discharges into the District wastewater works. Users of District services shall comply fully with all applicable local, state, and federal laws concerning the discharge of wastewater to sewers and shall cooperate with District operations by providing timely and responsive answers to requests for information concerning the nature of their wastewater discharges. The Sanitary Engineer may develop appropriate forms and/or applications to facilitate the collection of pertinent information concerning wastewater discharges.

Any user shall promptly notify the County Sanitary Engineer in advance of any substantial change in the volume or character of pollutants in the user's discharge, and shall comply with any applicable pretreatment requirements.

ARTICLE II
DEFINITIONS AND ABBREVIATIONS

	<u>Page</u>
2.1 Definitions	8
2.2 Abbreviations . . . . .	.28

ARTICLE II

DEFINITIONS AND ABBREVIATIONS

Unless a provision of these Regulations explicitly states otherwise, the following terms and phrases as used in these Regulations shall have the meanings set forth below. Terms and phrases that are not defined shall have the meanings given them in Glossary Water and Wastewater Control Engineering, Third Edition, published by The American Public Health Association, The American Society of Civil Engineers, The American Water Works Association, and The Water Pollution Control Federation, copyright 1981.

2.1 Definitions

Act: The federal Clean Water Act, 33 USC §1251.

Air Gap Separation: The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle.

Ammonia Nitrogen. The total of NH_3N and other nitrogen compounds that test positive for ammonia in Standard Methods #4500 (ammonia-selective electrode method), even after preliminary distillation.

Authorized Representative of Industrial User: An authorized representative of an industrial user may be:

A. For a corporation, a responsible corporate officer:

1. A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or who performs similar policy-making functions for the corporation; or,

2. The manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- B. A general partner, in the case of a partnership.
 - C. The proprietor, in the case of a sole proprietorship.
 - D. A duly authorized representative of the individual designated in paragraphs (A) through (C) above, if the written authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the discharge originates, such as the position of plant manager, superintendent, or a position of equivalent responsibility, or having overall responsibility of environmental matters for the company.

Auxiliary Water System: Any water system (including water supplied by that system) on or available to a given premises other than the District water system. These auxiliary waters may include water from another purveyor's public water system, water from a source such as a well, lake, or stream, process fluids, or used water. The auxiliary waters may be polluted, contaminated or objectionable, or constitute a water source or system over which the water purveyor does not have control.

Backflow: The flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable water supply from any source other than the intended source of the potable water supply.

Backflow Prevention Device: Any device, method, or type of construction intended to prevent backflow into a potable water system.

Biochemical Oxygen Demand (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in mg/l.

Building Drain: That part of the lowest piping of an interior drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning three (3) feet outside the inner face of the building wall.

Building Sewer: The extension from the building drain to the public sewer or other place of disposal.

Bypass: The intentional diversion of waste streams from any portion of a user's pretreatment facility.

Categorical Industrial User: Any industrial user subject to National Categorical Standards.

Chemical Oxygen Demand (COD): The quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedures and expressed in mg/l.

Clermont County Sewer District (District): A geographic area and administrative organization established by the Board of County Commissioners for the purpose of preserving and promoting the public health and welfare and which may by action of the Board, acquire, own, construct, maintain and operate main, branch, intercepting, or local sewers or interceptors necessary to care for and conduct wastewater from any part of the District to a proper outlet, and to properly treat or dispose of same.

Composite Sample: A composite sample shall be comprised of a series of grab samples collected over a 24 hour period proportionate in volume to the sewage flow rate at the time of sampling. Such samples shall be collected at such times and locations and in such a fashion as to be representative of the facility's overall performance.

Consumer: The owner or person in control of any premises supplied by or in any manner connected to the District water system.

Consumer's Water System: Any water system located on the water user's premises supplied by or in some manner connected to the District waterworks. A household plumbing system is considered to be a consumer's water system.

Contamination: An impairment of the quality of the water by sewage, process fluids, or waste to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.

Cross-Connection: Any arrangement whereby backflow can occur.

Debt Service: The portion of the total sewer revenue set aside for payment of principal and interest on outstanding obligations, plus reserves required by trust agreements.

Degree of Hazard: An evaluation of the potential risk to health and the adverse effect upon the potable water system.

Director: The director of the Ohio Environmental Protection Agency or his duly authorized representative.

Domestic Wastewater: Discharges of the same type as residential wastes which may emanate from any user class, such as the toilet and lunchroom facilities of an industrial facility.

Double Check Valve Assembly: An assembly composed of two single, independently acting, check valves including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water-tightness of each check valve.

Environmental Protection Agency (USEPA): The United States Environmental Protection Agency, or where appropriate, a designation for the Administrator or other authorized official of the agency.

Existing Source: Any source of discharge, the construction or operation of which commenced prior to the publication by USEPA of categorical pretreatment standards which are currently applicable to such source.

Extra-Strength Pollutant: Any level of BOD, SS and/or ammonia nitrogen which exceeds the Standard Wastewater Strength as defined in this Article.

Grab Sample: A sample taken from a waste stream on a one-time basis without regard to the rate of flow of the waste stream or its duration.

Grease: In wastewater, a group of substances including fats, waxes, free fatty acids, calcium and magnesium soaps, mineral oils, and certain other non-fatty materials.

Health Hazard: Any condition, device, or practice in a water

system or its operation that creates, or may create, a danger to the health and well being of users. The word "severe" as used to qualify health hazard means a hazard to the health of the user that could reasonably be expected to result in significant morbidity or death.

Holding Tank Wastes: Any waste from holding tanks or chambers used in connection with boats, chemical toilets, campers, trailers or other isolated facilities from which sanitary wastes emanate, including sanitary wastes from septic tanks and vacuum-pump tank trucks.

Indirect Discharge. The introduction of pollutants into the POTW.

Industrial User: A discharger of industrial waste.

Industrial Waste: Solid, liquid, or gaseous waste substance resulting from any industrial, manufacturing, trade, or business process, or from the development, recovery, or processing of natural resources, as distinct from sanitary sewage.

Industrial Waste Pretreatment Coordinator: A Clermont County Sewer District employee assigned to head the Industrial Waste Pretreatment Program.

Infiltration/Inflow: Storm water run-off or ground water penetrating into the wastewater system; an undesirable element in the collection and treatment of wastewater.

Interchangeable Connection: An arrangement or device that will allow alternate but not simultaneous use of two sources of water.

Interference: A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

- A. Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and,
- B. Causes of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (including Title II, more commonly referred to as the Resource Conservation and Recovery Act), State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act and the Marine Protection, Research and Sanctuaries Act.

Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, dialysis wastes, and any other waste determined by the District to be a bio-hazard.

Minimum Water Service Charge: The minimum charge made to a user for service and availability of service and credited to the total service charge at the applicable unit rate.

Minimum Sewer Service Charge: The minimum charge made to a user for service and availability of service.

National Categorical Standards: National pretreatment standards that specify the quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into a POTW by existing or new industrial users in specific industrial subcategories. These standards are separate from the general national pretreatment standards and apply in

addition to the general prohibited discharges.

National Pretreatment Standard (Pretreatment Standard): Any regulation containing pollutant discharge limits promulgated by the USEPA in accordance with Section 307(b) and (c) of the Clean Water Act and which applies to industrial users. Included are the prohibitive discharge limits established by 40 CFR 403.5.

New Source: Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which began after the publication of pretreatment standards applicable to that source provided that the building, structure, facility, or installation is constructed at a site at which no other source is located, or that the building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge at an existing source, or that the production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site.

Non-Contact Cooling Water: The water discharged from any system of condensation, air condition, cooling or refrigeration. It shall be free from odor and oil, and shall contain no polluting substances other than heat.

Non-Potable Water: Water not safe for drinking, personal, or culinary use.

NPDES Permit: The National Pollutant Discharge Elimination System permit issued pursuant to Section 402 of the Clean Water Act.

Ohio EPA (OEPA): The Ohio Environmental Protection Agency.

Operation, Maintenance and Replacement (OM&R): The cost of providing service throughout the useful life of the wastewater works and waterworks in accordance with design criteria, effluent discharge limitation and sound economic principals.

- A. Operation--expenses of the enterprise, rendering of service and collection of revenue.
- B. Maintenance--upkeep necessary for efficient operation of the physical plant(s).

Pass-Through: A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.

Person: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or its legal representative, agents, or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context.

pH: The logarithm (base 10) of the reciprocal of the weight of hydrogen ion concentration, in grams per liter of solution. (Low values indicate the presence of acids or acid-forming salts. High values indicate the presence of alkaline materials. A pH of 7.0 is neutral.)

Phosphorus: The total phosphorus content of a sample, expressed in mg/l, including all orthophosphates and condensed

phosphates, both soluble and insoluble, organic and inorganic species and referred to in Standard Methods as total phosphorus.

Pollutant: Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water. Pollutants include certain characteristics of wastewater (e.g., pH, temperature, total suspended solids, turbidity, color, BOD, COD, toxicity, or odor).

This term does not mean (A) "sewage from vessels" within the meaning of section 312 of the Act; or (B) water, gas, or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil or gas production, and disposed of in a well, if the well is used either to facilitate production or for disposal purposes, is approved by authority of the state in which the well is located, and if such State determines that such injection or disposal will not result in the degradation of ground or surface water resources.

Pollution: The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

Pollutional Hazard: A condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the District waterworks or a consumer's potable water system.

Potable Water: Water which is satisfactory for drinking, culinary, and domestic purposes and meets the requirements of the Ohio EPA.

Premises: Any parcel of real estate or portion of real estate, including any improvements, determined by the Sanitary Engineer to be a user for purposes of receiving, using and paying for services.

Pretreatment: The on-site reduction in the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater by users prior to or in lieu of discharging pollutants to the POTW.

Pretreatment Requirement. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

Pretreatment Standard. Any pretreatment standard or requirement (federal, state and/or county) with which users are required to comply.

Process Fluids: Any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration which would constitute a health, pollutional, or system hazard if introduced into the District or consumer's potable water system, including but not limited to:

- A. Polluted or contaminated waters;
- B. Process waters;
- C. Used waters originating from the District water system which may have deteriorated in sanitary quality;
- D. Cooling waters;
- E. Contaminated natural waters taken from wells, lakes, streams,

or irrigation systems;

- F. Chemicals in solution or suspension;
- G. Oils, gases, acids, alkalis, and other liquid and gaseous fluids used in industrial or other processes, or for fire fighting purposes.

Public Sewer: A sewer owned and operated by the District.

Public Water System: A publicly owned potable water system.

Publicly-Owned Treatment Works (POTW): All devices, sewers, pipes, other pumping stations conveyances, and wastewater treatment plants owned by, or operated by or for, the Board of Clermont County Commissioners for the purpose of the storage, treatment, recycling and reclamation of sewage or industrial wastes of a liquid nature.

Reduced Pressure Principle Backflow Prevention Device: A device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two check valves shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit shall include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.

Replacement: The expenditure for procuring and installing equipment, accessories, and appurtenances necessary during the

useful life of the wastewater works and waterworks to maintain the capacity and performance for which these works were designed and constructed.

Sanitary Engineer: A registered professional engineer appointed by the Board of County Commissioners to head the Clermont County Sewer District.

Sanitary Sewer: A sewer which transports wastewater and/or industrial waste and to which storm, surface, and ground water are not intentionally admitted.

Severe Property Damage: Substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Service Charge: The charge associated with the cost to the District of providing service to a person who uses the POTW and/or water system, including administrative, operational, maintenance, replacement, debt service, and capital costs.

Service Connection: The terminal end of a service line from the District waterworks. If a meter is installed at the end of the service connection, then the service connection is the downstream end of the meter.

Sewage: Any liquid waste containing animal or vegetable matter in suspension or solution. Sewage may include household wastes as commonly discharged from residences and from commercial,

institutional, or similar facilities.

Sewage System: Pipelines or conduits, pumping stations, and force mains, and all other constructions, devices, appurtenances, and facilities used for collecting or conducting waterborne sewage, industrial waste, or other wastes and bringing them to a point of disposal or treatment, but does not include plumbing fixtures, building drains and subdrains, building sewers, and building storm sewers.

Sewer: A pipe, conduit or other device for carrying wastewater.

Sewer Service Area: A watershed area or drainage basin in which wastewater is collected and transported through a system of collection, trunk and/or interceptor sewers to a wastewater treatment plant for final disposal.

Sewer Service Charge: The total charge to offset the cost of providing service to a user of the system, including operation, maintenance, replacement, and the cost of debt service.

Shall: Used in these regulations to indicate the mandatory nature of the regulation, while "may" indicates the permissive or discretionary nature of the regulation.

Significant Industrial User: (SIU)

- A. Any categorical industrial user.
- B. Any non-categorical industrial user which:
 - 1) Discharges 25,000 gpd or more of process wastewater to the POTW; or,
 - 2) Contributes 5% or more of the average load for any pollutant received by the POTW; or,

- 3) Has reasonable potential to adversely affect the POTW in terms of inhibition, pass through of pollutants, sludge contamination, or endangerment of POTW workers.

The Sewer District may at any time, on its own initiative or in response to a petition received from an industrial user, determine that a noncategorical industrial user is not a significant industrial user if the industrial user has no reasonable potential to adversely affect the POTW's operation or for violating any pretreatment standard or requirement.

Significant Noncompliance: Pursuant to CFR Section 40 Part 403.8, industrial user violations which meet one or more of the following are considered to be significant noncompliance:

A. Violations of wastewater discharge limits.

- 1) Chronic violations.
Sixty-six (66) percent or more of the measurements exceed the daily maximum limit or the average limit in a six (6)-month period for the same pollutant parameter.
- 2) Technical Review Criteria (TRC) violations.
Thirty-three (33) percent or more of the measurements exceed the daily maximum limit or the average limit by more than the TRC in a six (6)-month period. For conventional pollutants (BOD, Total Suspended Solids, NH₃-N, Fats, Oil & Grease)
TRC = 1.4 x pollutant limit
For all other pollutants except on PH
TRC = 1.2 x pollutant limit
- 3) Any other violation(s) of an effluent limit (average or daily maximum) that the District believes has caused, alone or in combination with other discharges, interference or pass through, or endangered the health of POTW personnel or the public.
- 4) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment and has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge.

B. Violations of compliance schedule milestones, contained in a

District control mechanism or enforcement order, for starting construction, completing construction, and attaining final compliance by ninety (90) days or more after the schedule date.

- C. Failure to provide reports for compliance schedules, self monitoring data, or categorical standards (baseline monitoring reports, 90 day compliance reports and periodic reports) within thirty (30) days from the due date.
- D. Failure to accurately report noncompliance.
- E. Any other violation or group of violations that the District considers to be significant.

Sludge: Any solid, semi-solid, or liquid waste generated from a domestic on-site system or a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility; or any other waste having similar characteristics and effects defined in Sections 402 and 405 of the Clean Water Act, and in Sections 3001, 3004 and 4004 of the Solid Waste Disposal Act.

Slug Load: The discharge of pollutants, including oxygen-demanding pollutants (BOD, etc.), at a flow rate and/or pollutant concentration usually of short duration which may cause interference to a wastewater treatment plant.

Standard Industrial Classification (or SIC): The classification of users based on the 1972 Standard Industrial Classification Manual, as amended and supplemented, Office of Management and Budget of the United States of America.

Standard Methods: The laboratory procedures set forth in the latest edition of Standard Methods for the Examination of Water and Wastewater prepared and published jointly by the American Public Health Association, the American Water Works Association and the

Water Pollution Control Federation.

Standard Wastewater Strength: A "domestic" type waste having a five-day biochemical oxygen demand (BOD₅) concentration not in excess of 200 mg/l; a suspended solid (SS) concentration not in excess of 250 mg/l; and an ammonia nitrogen (NH₃N) concentration not in excess of 15 mg/l.

Storm Water: Any flow occurring during or following any form of natural precipitation and resulting therefrom.

Suspended Solids: Total suspended matter that either floats on the surface of, or is in, water, wastewater, sewage or other liquids, and which is removable by laboratory filtering, as prescribed in Standard Methods.

System Capacity Charge. A one-time charge assessed to premises at the time such premises connects, either directly or indirectly, to the District POTW or water system. The charge is associated with the expected cost to the District for the portion of the facilities required to serve the premises and in proportion to the demand expected to be placed on the District facilities from the premises.

System Hazard: A condition posing an actual or potential threat of damage to the physical properties of the District waterworks or a consumer's potable water system.

Toxic Pollutant: Any pollutant or combination of pollutants designated as toxic in federal regulations pursuant to Section 307 of the Clean Water Act, or other Acts and as identified in Appendix B to part 403 of 65 toxic pollutants of the Code of Federal Regulations.

Treatment Plant. Any plant, disposal field, lagoon, dam, pumping station, or building sewer connected directly to the treatment plant, incinerator, or other facilities used for the purpose of treating, stabilizing, or holding sewage, industrial waste, or other wastes, except as otherwise defined.

United States Environmental Protection Agency (USEPA). The U.S. Environmental Protection Agency, or where appropriate, the Administrator or other authorized official of the Agency.

Upset: An exceptional incident in which there is unintentional and temporary noncompliance with pretreatment standards because of factors beyond the reasonable control of the user, excluding operational error, improperly designed pretreatment facilities, inadequate pretreatment facilities, lack of preventive maintenance, or careless or improper operation.

Used Water: Any water supplied by a water purveyor from a public water system to a consumer's water system after it has passed through the service connection and is no longer under the control of the water purveyor.

User: Any person or entity who contributes, causes, or permits the contribution of wastewater into a public sewer. Any person who uses, withdraws from, or connects to a public water system.

User Charge: The charge for providing sewer and/or water service proportionate to the District's cost for operation, maintenance and replacement of these facilities.

Waste: Wastewater and all other substances (liquid, solid, gaseous or radioactive) associated with human habitation or of

human or animal origin; or from any producing, manufacturing or processing operation of any nature, including substances placed within containers of any nature prior to, and for purposes of, disposal.

Wastewater: The liquid and water-carried or domestic industrial wastes from dwellings, commercial buildings, industrial facilities, and institutions, whether treated or untreated, discharged into or permitted to enter the POTW.

Wastewater Constituents: The individual chemical, physical, bacteriological and radiological parameters, including volume, flow rate, and other parameters, that serve to define, classify, or measure the contents, quality, quantity, and strength of wastewater.

Wastewater Treatment Plant: An arrangement of devices, facilities and structures used to treat sewage.

Wastewater Works: All facilities for collecting, pumping, treating and disposing of sanitary sewage and industrial wastes.

Watercourse: A channel in which a flow of water occurs, either continuously or intermittently.

Water Purveyor: The owner or operator of a public water system.

Water Service Line: Any line that carries potable water from the District water system to a consumer.

Waterworks: All processes, devices and structures used to obtain, treat, condition, pump and distribute water, between the District potable waterworks and the consumer's water system. The

District potable waterworks shall consist of the source facilities and the distribution system, including all facilities of the potable waterworks under the control of the Sanitary Engineer up to the point where the consumer's water system begins. The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the District distribution system. The District distribution system shall include the network of conduits used to deliver water from the source to the consumer's water system.

The consumer's water system shall include those parts of the facilities beyond the service connection utilized in conveying water from the District distribution system to points of use.

Waters of the State: All streams, lakes, ponds, marshes, watercourses, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water; surface or underground, natural or artificial, public or private; which are contained within, flow through, or border upon the State or any portion thereof.

Water Sales: The amount of metered water sold to a wastewater user which determines the sewer service charges.

2.2 Abbreviations

For the purpose of these Regulations, the following abbreviations shall have the designated meanings:

AO	Administrative Order or Administrative Compliance Order
BOD	Biochemical Oxygen Demand
°C	Temperature in degrees Centigrade
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
Compliance Meeting	Informal Meeting with the IU to Discuss the Resolution of Reoccurring Noncompliance
°F	Temperature in degrees Fahrenheit
IU	Industrial User
IWPT	Industrial Waste Pretreatment
mg	Milligrams
mg/l	Milligrams per liter
NH ₃ N	Ammonia Nitrogen
NOV	Notice of Violation
NPDES System	National Pollutant Discharge Elimination System
OEPA	Ohio Environmental Protection Agency
OM&R	Operation, Maintenance and Repair
ORC	Ohio Revised Code
P	Phosphorus
POTW	Publicly-Owned Treatment Works
SIC	Standard Industrial Classification
SIU	Significant Industrial User

Show Cause Hearing Formal meeting requiring the IU to appear and demonstrate why the District should not take a proposed enforcement action against it.

SNC Significant Noncompliance

SOC Schedule of Compliance

SS Suspended Solids

SWDA Solid Waste Disposal Act, 42 U.S.C. 6901, et seq.

TSS Total Suspended Solids

USC United States Code

USEPA Agency United States Environmental Protection

ARTICLE III

CONSTRUCTION OF SEWAGE FACILITIES
AND CONNECTION TO THE POTW

	<u>Page</u>
3.1 Application for Sewer Service. . . . .	.31
3.2 Use of Private Capital for Development and Extensions of District Sewer Facilities. . . . .	.31
3.3 Construction by Private Entities.	34
3.4 Connections to the POTW. . . . .	.41
3.5 District Construction. . . . .	.44
3.6 Special Provisions.	45

ARTICLE III

CONSTRUCTION OF SEWAGE FACILITIES AND CONNECTION TO THE POTW

3.1 Permit and Application for Connection to the POTW

A permit to connect to the District sewer system must be obtained from the Clermont County Permit Central Office. An application for sewer service, whether new or existing, is made through the Clermont County Office of Management and Budget. See Schedule 3 of these Regulations for complete information regarding fees and charges.

3.2 Use of Private Capital for Development and Extensions of District Sewer Facilities

3.2.1 General

This Section covers the use or extension of District-owned sewer facilities by private capital where facilities to be constructed by private capital are integrated with District facilities in such areas as residential developments; industrial parks; or individual residential, commercial and industrial installations.

3.2.2 Cost Sharing with District

The District may share in the cost of installing sewers for a private development provided that any portion of that development is constructed in manner, capacity, or size to serve existing or future connections off-site of the development.

3.2.2.1 Method of Cost Sharing

The cost of the work eligible for cost sharing may be paid by the District in a lump sum; by furnishing materials; and/or, by

District construction of off-site facilities and lump sum payment to the District by the developer.

3.2.2.2 Determination of Share

The amount the District will share in the cost of an eligible portion of a project shall be determined during the planning phase of the development by negotiations between the Sanitary Engineer and the developer. A developer must obtain at least three bids for the work and the District will pay its share based on the amount of the lowest bid.

Off-site cost may be ineligible for cost sharing if the work is not undertaken in accordance with District plans or if the work's value to the District cannot be determined.

3.2.3 Recoupment of Costs Borne by Private Developer

In cases where a private developer wishes to fund the extension of sewer facilities, the developer may recoup part of the costs of such extension from users who may, in the future, wish to tap into the private developer's extension. Such costs may be recouped by means of a reimbursement resolution.

A developer who wishes to recoup costs by means of a reimbursement resolution must obtain at least three bids for the work proposed to be performed. Costs to be recouped are based on the lowest of the bids.

A reimbursement resolution, prepared and adopted by the Board of County Commissioners pursuant to the provisions of Ohio Revised Code §307.73, may be requested where a private developer proposes to construct sanitary sewer mains and wishes to recoup the expense.

The terms of the request for reimbursement must be provided prior to construction. The following must be provided to the Sanitary Engineer at the time of making the request:

- A) Request for reimbursement of construction costs.
- B) Completed reimbursement resolution form.
- C) Tax maps with names of all affected properties.
- D) Copies of property deeds including tax identification and parcel numbers, school district, book, page and plat number, if applicable.
- E) Three itemized bids for project.
- F) Two blue line drawings of approved plans.

A ten-year limit exists on a developer's ability to obtain recoupment. A property otherwise benefitted by sewer service pursuant to this Section but lacking or with minimal road frontage will be assumed to have a minimum of one hundred feet of benefitted road frontage for the purpose of calculating its share of the project cost.

Upon passage of the Resolution by the Board of Clermont County Commissioners, the developer must file the Resolution with the County Auditor. Clermont County assumes no responsibility for filing a reimbursement resolution with the County Auditor.

3.2.4 Specifications and Inspections

All work by private developers which will be dedicated to, operated by, or otherwise made a part of the District's system shall be constructed in accordance with the District's standard drawings, specifications, and directives. Such standard drawings and specifications are available at the Office of the Sanitary

Engineer and may be amended from time to time by the Sanitary Engineer.

3.3 Construction by Private Entities

No person or entity shall open any street, land, roadway, highway, easement or public way for the purpose of connecting to or disconnecting from the District sewage system without first receiving written authorization from the appropriate authorities. Copies of documents providing such authorization may be required by the District before a permit to connect is granted.

3.3.1 Review and Approval of Plans

No person or entity shall construct or install sewage system or treatment plant facilities which discharge directly or indirectly into the POTW, or make a change in any such facilities, until the plans therefor have been submitted to and approved by the Sanitary Engineer. The District shall make a charge for such review. If the plan developer does not obtain a permit within one year of initial plan review and approval, the plan shall be subject to another plan review and an additional plan review fee. See Schedule 3 for fee.

Drawings and specifications of the facilities proposed to be constructed shall be submitted in triplicate. Drawings shall be on standard size sheets, 24" x 36". The location and profile of sanitary sewers shall be shown on the drawings. Pavements, utilities, driveways, culverts, inlets, drains, sanitary sewers, manholes, water mains, valve boxes, fire hydrants, and other miscellaneous structures or topographic features shall be shown on

the drawings. Drawings of the proposed treatment plant facilities shall be shown in sufficient detail to permit a contractor to construct the facility without the aid or necessity of supplemental explanatory drawings.

All plans shall be accompanied by an area plan showing all existing and proposed sewers within the area to be served together with copies of all pertinent computations of the design of the sewers and wastewater facilities. Construction plans shall be drawn to a minimum scale of one (1) inch equal fifty (50) feet. Area plans shall be drawn to a scale of one (1) inch equal two hundred (200) feet.

All elevations shall be referenced to sea level datum and each plat shall show the description and elevation of the bench mark (or marks) used in the development survey. All plans shall bear the signature and seal of the registered professional engineer who prepared them. Any building to be connected to a public sewer must be constructed so that the lowest floor elevation of such building is located at a minimum of four feet above the public main which would serve the building. Any building whose lowest floor elevation is not four feet above the public main must have an elevated or "high" connection.

In granting an approval of the plans, the Sanitary Engineer may include such modifications and conditions as the public health and prevention of pollution may require.

If the plan developer does not obtain a permit within one year of initial plan review and approval, the approval expires and the

plan shall be subject to another plan review and an additional plan review fee.

3.3.2 Design and Construction Standards

The design and construction standards and specifications adopted by the Sanitary Engineer for use in connection with these Regulations are available at the Office of the Sanitary Engineer and may be amended from time to time by the Sanitary Engineer.

3.3.2.1 Persons Qualified to Perform Work

No person shall perform work on, install, or make connections to a facility proposed to connect to the POTW unless he has been approved by the Sanitary Engineer. The Sanitary Engineer may disapprove the request for approval of any person if in the opinion of the Sanitary Engineer, the person is not qualified. The Sanitary Engineer may cancel his approval in the event the work performed by the person does not meet applicable standards of performance.

3.3.2.2 Placement of Sanitary Sewers

3.3.2.2.1 Separation from Utilities

Sewer lines must be constructed to maintain a minimum clearance of 10 feet horizontal and eighteen inches vertical between sanitary sewers, water lines, storm sewers, and other utilities, unless otherwise approved by the Sanitary Engineer.

3.3.2.2.2 Perpetual Easement Required

Persons proposing to construct a sanitary main to be connected to the POTW must obtain and/or grant a thirty foot (30') perpetual easement and right-of-way for utility purposes of constructing, operating, maintaining, repairing, replacing, and removing or

reinstalling, sewer collection lines, manholes and all incidental fixtures required for the transportation of sewage in, on, under and across the grantor's property. Such easement shall be in favor of the Clermont County Board of County Commissioners.

3.3.2.2.3 Placement for ease of maintenance

The sanitary sewer main shall be constructed ten feet off one edge of the easement to allow for utilization of the remaining twenty feet. Sanitary sewers shall not be placed in driveways or in any location where maintenance or repairs will be, in the judgment of the Sanitary Engineer, difficult or costly to perform or where either the user or District will have significant problems or costs to initiate and complete repairs to the sewer.

If a sewer is placed in such a location without specific, prior approval of the Sanitary Engineer, the person who caused such work to be done shall bear the expense of repairing and removing such sewers or service branches.

3.3.2.3 Provision for Wastewater Treatment

No sanitary sewers shall be designed or constructed without proper provision being made for the treatment of the sanitary wastes. Wastewater treatment facilities shall meet all applicable discharge, monitoring and other requirements of law.

3.3.3 Permit to Construct/Connect

After review and approval of the construction plans by the Sanitary Engineer, the person or entity wishing to undertake construction may make application for a permit to connect. No person shall construct or install sewage system or treatment plant

facilities which discharge directly or indirectly into the POTW, or make a change in any such facilities without a permit issued by the District.

The application for a permit to install and connect shall be accompanied by the permit fee as set forth in Schedule 3 of these Regulations and the approved plan. No permit will be issued without payment in full. All permits expire one (1) year from date of issuance.

3.3.4 Inspection During Construction

No sanitary sewer, wastewater treatment or pumping facility or building sewer shall be installed or physically connected to the District's sewage system unless it has been inspected and tested during construction by the Sanitary Engineer or his authorized representative and the structure to be served is completely under roof.

No sanitary sewer or building sewer shall be covered with backfill until it has been inspected and approved. Any sewers or building sewers covered before inspection shall be uncovered at the direction of the Sanitary Engineer or his representative for the purpose of inspection and approval. At the time of making application for a permit to construct/connect, the developer shall also pay an inspection fee to cover inspection of the proposed construction. See Schedule 3 for fees.

3.3.5 Sewer System Capacity Charges

A system capacity charge, set forth on Schedule 1, shall be required of each user proposing to discharge wastewater directly or

indirectly into a District facility. The system capacity charge is based on the type and size of connection as set forth in Schedule 1. This charge must be paid in full at the time of making application for a permit to construct/connect.

Indirect connections consist of connections made into any line which conveys or shall convey waste into a District facility, whether the receiving line being tapped is District owned or privately owned.

3.3.6 Surety for Private Construction

All components of a sewage system or treatment plant constructed or installed by any private entity for integration into the District's system shall be guaranteed against any and all defects of workmanship and material by such person for a period of not less than twelve months from the date of notice by the Board of County Commissioners tentatively accepting and placing the system into service. The guarantee shall be a surety bond in a form satisfactory to and approved by the Board of County Commissioners in an amount equal to five percent (5%) of the estimated construction costs as determined by the Sanitary Engineer, but not less than one thousand dollars (\$1,000). Such bond shall be effective not more than four weeks prior to its approval by the Board.

During the guarantee period, the components of the privately developed system shall be maintained by such person in good and proper operation and repair. The developer guarantees payment of the cost of all labor, materials, tools, equipment, and any

incidentals required to repair and replace any part of such system to maintain it in good and proper working order. Such activities may include, but are not limited to street repair, refilling of trenches, and restoration of lawns, sidewalks, yards, streets and shrubs. System Components shall also be inspected prior to release of bond as specified by the Sanitary Engineer.

3.3.7 Submission of Record Drawings

After completion of construction and prior to the Sanitary Engineer's recommending acceptance of any components of a privately constructed facility proposed to be connected to the POTW, the owner shall submit record drawings to the Sanitary Engineer complete with the seal of a registered professional engineer indicating actual field elevations and alignment of all constructed facilities. A developer will be reimbursed \$50.00 of the previously paid plan review fee upon submission of the record drawings in an electronic format in accordance with specifications approved by the Sanitary Engineer.

3.3.8 Dedication of Private Construction

The Sanitary Engineer, after the expiration of the one year guarantee period and final approval, shall recommend the acceptance of the facility by the Board for the benefit of the District and the users of the facility. Upon completion of the construction and the final inspection and approval by the Sanitary Engineer of the facility, the owner shall, by proper deed, transfer ownership of said components, including lands, rights-of-way or easements, to the Clermont County Board of County Commissioners. Upon acceptance, the facilities shall become the property of the County.

No privately developed sewer system will be accepted unless there is a thirty foot (30') perpetual easement and right-of-way for utility purposes of constructing, operating, maintaining, repairing, replacing, and removing or reinstalling sewer lines and appurtenances thereto required for the transportation of sewage in, on, under and across the grantor's property and unless approved record drawings have been provided by the developer. The sewer main shall be constructed ten feet (10') off one edge of the easement to allow for utilization of the remaining twenty feet (20').

3.4 Connections to the POTW

No connections may be made to the POTW under any of the circumstances set forth below without a permit from the District.

3.4.1 Mandatory Connection to a Public Sewer

When a sanitary sewer is constructed to reduce or eliminate an existing health problem or a water pollution hazard, the Board may order the owner of any premises, his agent, lessee, or tenant, or any other occupant of the premises, to connect the premises to the sewer for the purpose of discharging sewage or other waste originating on the premises and to cease the discharge of sewage or other waste into a cesspool, ditch, private sewer, privy, septic tank or other outlet. Construction of sewer service facilities pursuant to this Section is subject to inspection by both the District and the Clermont County General Health District. After construction is complete and approved, any cesspool, privy, septic tank or other facilities shall be abandoned and filled with suitable material as directed by the Clermont County General Health District.

3.4.2 Optional Connection

3.4.2.1 Connection Permit Required

Except as approved by the Sanitary Engineer, no building, structure or facility shall be physically connected to the District sewage system unless the property fronts a sanitary sewer main and the Sanitary Engineer has issued a permit for the connection.

Each separate building, structure and facility shall be connected to the sanitary sewer main on its own service branch. Connection of two or more service branches to one discharge service branch is prohibited.

3.4.3 Special Connections

3.4.3.1 Gravity Flow Connection

No gravity flow sewer connection permit shall be issued where the basement floor elevation is less than four feet above the invert elevation of the collector sanitary sewer line.

3.4.3.2 Pumps in lieu of gravity flow connection

Where the criteria for gravity flow connections set forth in paragraphs 3.4.3.1 cannot be met, the applicant for connection may use pumps or a high connection. The site plan accompanying the permit application shall show the location and type of pumps. The elevation of the lateral sewer at the point it exits the building to be served shall not be less than four feet above the invert elevation of the collector sanitary sewers.

3.4.3.3 Small Diameter Gravity System

Connection to the POTW may be made via a small diameter gravity system designed in accordance with the standards and specifications of the District. The property owner must purchase

and pay for the cost of installation of the connecting infrastructure and grant a perpetual easement that shows a 15' radius from the center of the interceptor septic tank and ten feet on each side of the centerline of the sanitary sewer collection line and electrical service.

After installation and successful inspection of the connecting infrastructure by the District, the District will, within its discretion, assume responsibility for operation and maintenance and repair of the connecting infrastructure. Upon signing an application for service, the property owner connecting to the District's system becomes a customer of the District and agrees to comply with and be bound by these Regulations.

3.4.3.4 Limited Connections

Premises that do not abut a sewer main may connect to the District sewer system on a temporary basis, upon approval of the Sanitary Engineer, subject, but not limited to the following conditions:

- A. The owner of any intervening parcel(s) executes a ten foot (10'), perpetual easement, exclusive for sewer use, in favor of the owner of the premises to be served; and,
- B. The owner of the property requesting service executes a temporary tap-in agreement with the District which shall include the premises' parcel number.

The District will record such temporary tap-in agreement. See Limited Tap-in Agreement, Schedule 8. The execution of such temporary tap-in agreement in no way limits the Board of County Commissioners from assessing such premises for sewer service (see Sections 3.5.1 and 3.5.2, below) and thereafter rescinding the temporary tap-in agreement and discontinuing sewer service through

the connection made pursuant to that agreement.

3.5 District Construction

Sewage system and treatment plant facilities constructed by the District shall be subject to the standards of design and construction adopted by the Sanitary Engineer. District facilities may be extended by the following methods.

3.5.1 By Petition

All of the property owners to be benefitted by any sewer improvement or extension may, by petition to the Board pursuant to Revised Code 6117.28, request the improvement. Such property owners will be assessed for the improvement. A property otherwise benefitted by sewer service pursuant to this Section but lacking or with minimal road frontage will be assumed to have a minimum of one hundred feet of benefitted road frontage for the purpose of calculating its share of the project cost.

3.5.2 By Assessment

The District may determine that it is necessary to construct sewer improvements and, pursuant to Revised Code §6117.251, assess the property owners to be benefitted by such improvements for the cost of such construction.

3.5.3 Capital Improvements

The District may construct or extend sewer mains to serve dedicated streets, township roads, county roads, and state highways if additional revenue bonds can be issued under and in full compliance with the terms of the bond resolution and trust agreement, or if there are sufficient funds in the capital

improvement fund.

3.6 Special Provisions

3.6.1 Control of Infiltration and Inflow

The District operates a regular program of testing for infiltration and inflow of stormwater, groundwater and other prohibited substances from household sewage disposal systems into the District system. Excess infiltration and inflow can be the cause of surcharging of sewer mains and wastewater backups. Discharge of stormwater and groundwater into the District system is prohibited. For these reasons, all users of the District wastewater system are required to cooperate in such testing.

3.6.1.1 Procedure

To test a building drain and/or building sewer, a District employee will enter a residence or go onto property to inspect and/or test a building drain and/or building sewer, interior or exterior, which connects to the District's system to determine whether improper connections or leaks are permitting prohibited substances to flow from the household sewage disposal system into the District's system.

3.6.1.2 Notice

Two weeks before the testing program begins in a given area, users of the system will be notified of the proposed testing by letter. In cases where the District is unable to perform testing at a given residence, a District employee will leave a door hanger requesting the resident to contact the District to make an appointment for inspection. In cases where the resident does not call for an inspection appointment, a District employee will leave

a second door hanger to notify the resident that water service to the premises will be discontinued within 20 days should the resident fail to contact the District to make an appointment for inspection.

3.6.1.3 Penalty for Failure to Permit Testing

The District will discontinue water service to any residence where the District has been unable, after the above-described notice, to obtain access for the purpose of inspection and/or testing. If the District is required to shut off water to a given premises, the customer will be charged a turn-on/turn-off fee as set forth in Schedule 3. Water service will not be restored until an inspection of the premises has been made.

3.6.1.4 Repair of Deficiencies

In cases where the District finds deficiencies in the household sewage disposal system which permit infiltration and inflow into the District's system, the District will send a letter to the resident to describe the deficiency and allow sixty days for repair. After the repair is made, the customer is required to contact the District for inspection of the repair. If the resident does not make the repair, or other arrangements acceptable to the District, in sixty days, water service to the premises will be discontinued.

3.6.1.5 Penalty for Failure to Correct Deficiencies

The District will discontinue water service to any residence where it has determined, by means of the above-described testing and/or inspection, that the household sewage disposal system allows infiltration and inflow of stormwater, groundwater or other

prohibited substances into the District's system and where the customer has failed to make the required repairs and obtain inspection. If the District is required to discontinue water service to a given premises, the customer will be charged a turn-on/turn-off fee as set forth in Schedule 3. Water service will not be restored until the deficiency is repaired and inspected by the District. Improper discharge into the District's system can constitute a misdemeanor with every day of improper discharge a separate violation.

3.6.2 Wastewater Back-ups

The District inspects and maintains the water and sewer systems on a regular basis. Extraordinary and/or unpredictable conditions beyond the control of the District may cause wastewater or other types of back-ups from the District's system onto a customer's premises. In the event of such back-up, the customer is required to notify the District immediately. The District will respond as quickly as possible to remedy the cause of the back-up and provide assistance in such clean-up as may be reasonably necessary to preserve the health and safety of the customer and the public.

3.6.3 Privately-owned systems permitted

Nothing in these Regulations shall preclude any person from constructing, maintaining, or operating sewage systems or treatment plants provided that they are approved and operated in compliance with applicable state, federal, and local requirements.

3.6.3 Tampering with POTW Prohibited

No person shall tamper with, harm or attempt to harm any

portion of the POTW.

3.6.5 Recognition of Innovative Technology

The Board of County Commissioners working in conjunction with other county agencies responsible for protection of the environment and prevention of nuisances, desire to provide the opportunity for installation on an experimental basis of innovative wastewater treatment technology reflecting changing environmental regulations and advances in technology. The Board hereby authorizes the Sanitary Engineer to develop and from time-to-times refine and revise specifications for use of non-centralized wastewater collection and treatment systems with no off-site discharge or collection. Upon recommendation by the Sanitary Engineer, and concurrence with the Clermont County General Health District, these systems may be approved by the Board of County Commissioners as public infrastructure to be accepted as public improvements and maintained by the sewer district when they are designed and properly installed to provide wastewater treatment service to geographic areas not otherwise serviced by centralized systems or that will not be serviced by such centralized systems within three years of the date of application for approval of the non-centralized systems. The fees for these systems shall be identified in Schedules 1 and 4 of these Rules and Regulations and maybe modified or updated from time-to-time upon the recommendation of the Sanitary Engineer.

ARTICLE IV

USE OF DISTRICT PUBLICLY OWNED TREATMENT WORKS

	<u>PAGE</u>
4.1 Authority for Control of Wastewater Discharge. . . . .	.50
4.2 Discharge Prohibitions.	51
4.3 No Unauthorized Access . . . . .	.53
4.4 Discharge Limitation by Administrative Order.	53
4.5 National Categorical Pretreatment Standards. . . . .	.54
4.6 Methods of Control of Discharge. . . . .	.54
4.7 Accidental discharges. . . . .	.58
4.8 Reporting Requirements, Compliance Schedules and Monitoring Reports . . . . .	.60
4.9 Appeal of Administrative Orders. . . . .	.64
4.10 Enforcement. . . . .	.65
4.11 Suspension and/or Termination of Service.	65

ARTICLE IV

USE OF DISTRICT PUBLICLY OWNED TREATMENT WORKS

4.1 Authority for Control of Wastewater Discharges

If any substances are discharged or are proposed to be discharged into a POTW where such substances may, in the judgment of the Sanitary Engineer, have a deleterious effect upon the POTW, treatment processes, or receiving waters, including violation of applicable water quality standards, or which otherwise may create a hazard to health, safety, welfare, or the environment, or increase the cost of operating the POTW, the Sanitary Engineer may:

- A. Require immediate cessation of the discharge; and/or
- B. Revoke or suspend the administrative order authorizing the discharge; and/or
- C. Require pretreatment or additional pretreatment; and/or
- D. Limit the quantities and/or rates of discharge; and/or
- E. Require payment for the added cost of handling and treating the substances.

All industrial wastes discharged to the POTW shall, at a minimum, meet the most stringent requirements of applicable national categorical pretreatment standards, see Section 4.5, below, or best practical control technology currently available for incompatible pollutants, as prescribed in the Code of Federal Regulations unless the Sanitary Engineer, by administrative order, authorizes otherwise.

4.2 Discharge Prohibitions

No person shall discharge or cause to be discharged, directly or indirectly, any of the following substances or classes of substances into the POTW:

- A. Any storm water, roof runoff, surface water, ground water or other subsurface drainage, or non-contact cooling water.
- B. Any substance which may create a fire or explosion hazard in the POTW, including, but not limited to, substances with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test method specified in 40 CFR 261.21. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, fuel oil, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.
- C. Any solid or viscous substance in quantities or of a size that may cause obstruction to the flow in a sewer or interference or pass through the POTW including, but not limited to: medical wastes, grease, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, blood, feathers, ashes, cinders, sand, mud, spent lime, stone or marble dust, wood, metal, glass, plastics, shavings, straw, grass clippings, rags, spent grains, waste paper, paper products, gas, tar, asphalt residues, residues from the refining or processing of fuel or lubricating oil, or lens grinding or polishing wastes.
- D. Any garbage, unless originating from residences used for non-commercial purposes, which has not been shredded such that no particle is greater than 1/2-inch in any dimension. Garbage grinders shall not be connected to the POTW from hotels, institutions, restaurants, hospitals, groceries, catering establishments or similar places where garbage originates from the commercial or large-scale preparation of food for the purpose of sale, consumption on the premises, or for service by caterers.
- E. Any petroleum oil, non-biodegradable cutting oils, products of mineral oil origin, or floatable oils, fat, wax or grease, that pass through the POTW or cause interference. In no event shall the total concentration of such substances exceed 250 mg/l.
- F. Any substance having a pH less than 5.0 or greater than 10.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the POTW. The Sanitary Engineer may impose more stringent pH

limits on any user where he determines that such limits are necessary to avoid an adverse impact on the POTW, treatment processes, sludge disposal methods, or violation of NPDES permits.

- G. Any substance that either singly or by interaction with other substances, may create a public nuisance, a hazard to human life or health, or prevent or interfere with entry into the sewerage system for maintenance and repair.
- H. Any substance that may cause a treatment plant effluent or any other product of the treatment plant, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
- I. Any substance that may cause a treatment plant to violate any applicable sludge use or disposal statute, regulation, guideline or criterion.
- J. Any substance which may cause a treatment plant to violate its NPDES permit or cause a violation of water quality standards.
- K. Any substance, the color of which is not completely removed in the treatment process, including, but not limited to, dye wastes and vegetable tanning solutions.
- L. Any substance the temperature of which may inhibit biological activity in a treatment plant or interfere with wastewater treatment process efficiency. At no time shall any discharge into the POTW exceed 120°F (49°C), or cause the wastewater at a treatment plant to exceed 104°F (40°C).
- M. Any substance, including oxygen demanding materials (BOD and COD), at a rate and/or concentration that may cause interference or pass through at a treatment plant. No discharge shall have a flow rate or contain concentrations or quantities of pollutants that exceed, for any period of time longer than sixty (60) minutes, during any twenty-four (24) hour period, more than five (5) times the permitted average twenty-four (24) hour concentration, quantity, or flow representative of normal operations.
- N. Any radioactive substance whose half-life or concentration exceeds limits established or prescribed by applicable federal or state requirement.
- O. Any substance that, either singly or by interaction with other substances, may injure or interfere with any wastewater treatment process, constitute a hazard to the life or health of humans or animals, create a public nuisance, may be toxic to any organism in the receiving water of a treatment plant or exceeds any limitation set forth in a pretreatment standard. See Section 4.11, below.

P. Any substance that may result in gases, vapors, or fumes within the POTW that may endanger the health, safety or welfare of District employees.

4.3 No Unauthorized Access

No person shall enter or use the POTW for any activity, including but not limited to discharge of hauled septic or industrial wastes, except at locations, at times and under conditions as designated in writing by the Sanitary Engineer. No person shall remove a manhole lid or otherwise gain access to the POTW without written authorization from the Sanitary Engineer.

4.4 Discharge Limitations by Administrative Order

4.4.1 General Pollutant Discharge Limitations

The Sanitary Engineer reserves the right to establish discharge limitations for users of the District's system. Limitations will be based on such variables as the net volume, net weight, duration, frequency and concentration of pollutants in a given user's discharge as he deems necessary to achieve the requirements and purposes of these regulations.

4.4.2 Industry-Specific Discharge Limitations

No significant industrial user (SIU) as defined in Article II of these Regulations may discharge into a POTW unless it has obtained an administrative order from the Sanitary Engineer. The Sanitary Engineer may revise such administrative order at any time, and may impose therein such effluent limitations, monitoring standards, and other requirements as he deems necessary to meet all applicable requirements.

4.5 National Categorical Pretreatment Standards

National Categorical Pretreatment Standards, as set forth in 40 CFR Part 403, as they may be amended, are hereby incorporated by reference as if fully written herein. All users subject to said pretreatment standards shall comply therewith. Upon promulgation of categorical pretreatment standards, the categorical standards shall immediately supersede any less stringent limits imposed by these Regulations. More stringent standards may be required by the District.

The Sanitary Engineer shall endeavor to make timely notification of USEPA actions affecting users of District POTWs. Affected industrial users are nonetheless required to comply with categorical standards and any applicable reporting requirements whether or not notified by the District.

4.6 Methods of Control of Discharge

The District conducts an on-going program of monitoring for pollutants within the District's system. Users who are determined to be dischargers of any water or wastes whose acceptable pollutant concentrations exceed normal domestic sanitary sewage concentrations shall be subject to the review and approval of the Sanitary Engineer.

Based on the District's system's ability to treat pollutants discharged by system users, the Sanitary Engineer may, for the purpose of limiting and/or controlling discharge of such pollutants, issue administrative orders to implement these Regulations, as well as Ohio EPA and USEPA pretreatment standards.

The District will notify users of their responsibility to comply with these and/or state or federal pretreatment regulations. User's responsibilities, prescribed methods of control and penalties for failure to comply will be fully set forth in administrative orders issued to users. The District may require users to implement any or all of the following methods to limit and control discharge of pollutants:

4.6.1 Permit to Connect

Any person connecting to the POTW must apply for and obtain a connection permit from the Sanitary Engineer.

4.6.2 Flow Equalization

The Sanitary Engineer may require a user to limit the quantity and/or rate of discharge of wastewater if he determines that such limits are necessary for the effective operation of the POTW.

4.6.4 Installation of a Control Manhole

The Sanitary Engineer will evaluate each user who discharges any wastes or other material potentially detrimental to the POTW or an amount greater than 10,000 gallons per day to determine the strength of the waste and the rate of discharge. Based upon this evaluation, the Sanitary Engineer may require the owner of any premises served by a building sewer whom he finds to be carrying high-strength wastes, sludge flows, industrial wastes, or other potentially detrimental water and wastes, to construct a control manhole or other monitoring device approved by the District in the building sewer to facilitate observation, sampling and measurement of wastewater.

One sampling manhole per building sewer shall be constructed in accordance with plans approved by the Sanitary Engineer, by the owner, at the owner's expense, to permit enforcement of discharge limitations. The manhole shall be maintained by the owner to be safe and accessible at all times.

4.6.5 Analysis of Discharge

All measurements, tests and analysis of water and wastes performed for the purpose of evaluating compliance with these Regulations and other pretreatment regulations shall be performed in accordance with 40 CFR part 136.

If a control manhole has not been required for a given building sewer, the control manhole for sampling purposes shall be considered the downstream manhole in the public sewer nearest to the point at which the building sewer is connected. Sampling methods, location, times, durations, and frequencies of sampling shall be determined on an individual basis subject to the approval of the Sanitary Engineer.

4.6.6 Sampling and Metering

4.6.6.1 Metering

Based upon the type of evaluation described in Section 4.6.4, above, The District may require a user to install a meter for the purpose of determining the rate of discharge into the District's system.

4.6.6.1 District Sampling

To determine whether high strength discharges exist and/or to ascertain pretreatment program compliance, the District shall have

the option of sampling and testing the wastewater and, thereafter, billing the user for such sampling and testing.

4.6.6.2 User Sampling

The District may require the user to perform a regular sampling and testing program approved by the Sanitary Engineer at the user's expense. Each user shall sample its wastewater for the pollutants, and in accordance with the methods, locations, times, durations and frequencies, as directed by the Sanitary Engineer.

The user shall make all data related to such sampling and testing program available to the District upon request. The District shall be allowed access to sample the user's wastewater to verify the user's data. Users shall retain all records of sampling and analyses for three years.

In addition to charges and fees for collection and treatment of wastewater, each user shall be charged for the cost of any special sampling and testing performed by the District. The fee for this service shall be based on the direct cost to the District of performing such sampling and testing.

4.6.7 Grease, Oil and Inorganic Material Interceptors

The Sanitary Engineer may order a user to install an interceptor sewer when the Sanitary Engineer determines that an interceptor is necessary to properly handle grease, oil, inorganic materials such as sand, grit, or similar materials, flammable materials, or other substances. Interceptors shall not be required for single family or multi-family units.

All interceptors shall be of a type and capacity approved by

the Sanitary Engineer and shall be readily and easily accessible for cleaning and inspection. Interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature, watertight, and equipped with easily removable covers which, when bolted in place, shall be gas tight and watertight.

All interceptors shall be maintained by the user, at its expense, in efficient operation at all times. The user shall provide proper removal and disposal of the captured material at least annually and shall submit a report to the Sanitary Engineer not later than December 31 of each year stating the date and means of disposal. Monitoring and inspection of such interceptors will be performed jointly by the District and the Clermont County General Health District.

4.6.8 Right of Entry

The Sanitary Engineer, or his authorized representative may, at reasonable times, upon presentation of credentials and other documents as may be required by law:

- A. Enter upon the user's premises where a regulated facility or activity is located or conducted, or records must be kept under the conditions of these regulations or an administrative order.
- B. Have access to and copy any records that are required to be kept by these regulations or orders or permits issued thereunder.
- C. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations.

4.7 Accidental Discharges

Each user designated by the District to be a significant

industrial user ("SIU") shall protect against the accidental or other, non-standard discharge of substances prohibited by these Regulations or reasonably expected to have an adverse effect on sewers, wastewater treatment processes or health, safety, welfare or the environment. Facilities to prevent accidental discharges shall be provided and maintained at the user's expense. Detailed plans showing the facilities and operating procedures to provide this protection shall be approved by the Sanitary Engineer before initiating construction of these facilities. Review and approval of accidental discharge prevention plans and operating procedures shall not relieve the user from the responsibility to maintain and improve the facilities necessary to comply with these Regulations.

4.7.1 Notice of Potential Problem Discharges

Users shall immediately notify the District by telephone of any discharges, including slug loadings, that may adversely affect the POTW or the public health, safety or welfare, or the environment. Notification shall include:

- A. A description of the discharge and the cause of the problem;
- B. The period of discharge, including exact dates and times and, if not corrected, the anticipated length of time that the problem is expected to continue;
- C. The steps taken or planned to reduce, eliminate and prevent reoccurrence of the problem;
- D. Any additional information which may aid the District in mitigating adverse effects of the problem.

The user shall provide the District with a written report containing the above information within five (5) business days

after the problem discharge first occurred.

Notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of the discharge into the wastewater works, or for fish kills or other damage to persons or property, nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed pursuant to law.

4.7.2 Notice to Users' Employees

SIUs shall post, permanently and conspicuously, a notice advising employees whom to notify in the event of a spill or problem discharge. Users shall ensure that all employees who may cause or permit such a problem discharge to occur are advised of the emergency notification procedures.

4.7.3 Dilution Prohibition

Except where expressly authorized in writing by the Sanitary Engineer, no user shall increase the use of potable, process or cooling water, or in any other way attempt to dilute a non-standard discharge as a partial or complete substitute for adequate pretreatment or other requirements of these Regulations to achieve compliance with a pretreatment standard or requirement.

4.8 Reporting Requirements, Compliance Schedules and Monitoring Reports

Industrial users subject to pretreatment standards as mandated by provisions of these Regulations shall submit self-monitoring and other reports required by 40 CFR 403.12 and/or by administrative orders in accordance with reporting procedures specified therein. The Sanitary Engineer may require a user to submit additional

reports concerning the nature of its discharge.

If a user subject to pretreatment requirements monitors any pollutant more frequently than prescribed by applicable regulations and administrative orders, then the results of such monitoring shall be included in the self-monitoring reports.

4.8.1 User Report of Violation

If sampling performed by an industrial user indicates a violation, the user shall notify the Clermont County Sewer District by telephone within 24 hours of becoming aware of the violation. The report shall contain the following information:

- A. The times at which the discharge occurred, and was discovered.
- B. The approximate amount and characteristics of the discharge.
- C. The circumstances which created the discharge.
- D. The remedial steps that are being taken.

The user shall submit a written report containing the above information to the Sanitary Engineer within five (5) days of discovery.

The user shall also repeat sampling and analysis and submit written results of both initial and repeat analyses to the District within 30 days of becoming aware of the violation. The user is not required to resample if:

- A. The District performs sampling of the user for the violating parameter at a frequency of at least once per month; or,
- B. The District performs sampling of the user for the violating parameter between the time when the user performs its initial sampling and the time when the user receives the results of the sampling.

4.8.2 Notification of Change in Volume/Character

All industrial users shall promptly notify the IWPT coordinator in advance of any substantial changes in the volume or character of pollutants in their discharge, including the listed or characteristic wastes for which the user has submitted initial notification under 40 CFR 403.12(p).

4.8.3 Inspections and Monitoring

The Sanitary Engineer or his authorized representative has the authority pursuant to Ohio Revised Code §6111.05 to enter upon a user's property at reasonable times during normal working hours, or at other times, to inspect, observe, measure pretreatment facilities operation, collect samples and/or test the discharge therefrom or from the industry, and to independently assess user's compliance with these regulations. The Sanitary Engineer or his authorized representative shall have access at all times to all records pertaining to the operation of any pretreatment facilities and the quality of the discharge to the sewers therefrom.

4.8.4 Monitoring Facilities

When required by the County Sanitary Engineer, a categorical user shall install, operate and maintain, at its own expense, appropriate monitoring facilities for each regulated process which discharges wastewater to District POTWs. The facilities shall be designed to allow inspection and representative sampling of regulated process discharges. Required facilities shall be accessible and safely located and shall be constructed in accordance with plans approved by the Sanitary Engineer.

4.8.5 Confidential Information

Information and data furnished to the District with respect to the nature and frequency of discharges shall be available to the public or other governmental agency without restriction, unless the discharger specifically requests and is able to demonstrate to the satisfaction of the Sanitary Engineer that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets or proprietary information. Wastewater discharge constituents and characteristics shall not be recognized as confidential information.

When so requested by a discharger furnishing a report, the District shall not make available to the public the portions of a report which may disclose trade secrets or secret processes. Such portions shall, however, be made available, upon written request, to governmental agencies for uses relating to these Regulations, to NPDES permits, and/or the industrial waste pretreatment programs. In addition, these portions of a report shall be available for use by any state agency in judicial review or enforcement proceedings.

4.8.6 Records Retention

Each user and the Sanitary Engineer shall keep and maintain, in accordance with 40 CFR Part 403.12, records of all information related to industrial discharges into the District wastewater works. These records shall be kept for a minimum of three (3) years, or longer if pertinent to the resolution of any pending litigation. Said records shall be made available for inspection and copying by USEPA, Ohio EPA, the Sanitary Engineer, the County Prosecutor, or their authorized representatives or any member of the public.

4.8.7 Signatory Requirements

Any pretreatment reports required of a user shall be signed by an authorized representative of the user.

4.9 Appeal of Administrative Orders

A user may appeal any permit or administrative order issued to it by the Sanitary Engineer by requesting a hearing before the Board of Commissioners of Clermont County. A written request for hearing must be received by the Clerk of the Board of Commissioners within five (5) days following the user's receipt of the administrative order. The written request for hearing shall set forth the basis of the objection to the Sanitary Engineer's administrative order.

The Clerk of the Board of Commissioners shall notify the user of the date, time and place of the hearing. The hearing shall occur within ten (10) working days following receipt of the request for hearing, unless continued by the Board for good cause. The user may appear in person or by his attorney, present his position, arguments, or contentions in writing, and present evidence and examine witnesses appearing for and against him. The Board of Commissioners or its designee shall render a written opinion setting forth the basis for its decision either upholding, reversing, or modifying the administrative order of the Sanitary Engineer.

The decision of the Board of Commissioners or its designee may be appealed as provided by law.

4.10 Enforcement

Any violation of the pretreatment requirements mandated pursuant to these Regulations shall result in enforcement actions as set forth in the administrative order requiring pretreatment, Sections 4.11 and 4.12 below, and Article VII of these Regulations.

4.11 Suspension and/or Termination of Service

The Sanitary Engineer may suspend or terminate a user from discharging into the District's POTW where the actual or threatened discharge may result in harm to public health, safety, welfare, the environment, violate the provisions of these Regulations or a permit or Administrative order, or interfere with the operation of the POTW. Any user notified of suspension or termination shall immediately cease all discharge to the POTW. In the event of a user's failure to immediately comply voluntarily with a suspension or termination order, the Sanitary Engineer may suspend water service and shall take such steps as he deems necessary to terminate the user's discharge to the POTW, including severing or plugging of the sewer connection.

4.12 Injunction; Civil Action

No person shall violate or fail to perform any duty imposed by these Regulations or violate any permit or order issued by the Sanitary Engineer.

The prosecuting attorney, upon written request of the Sanitary Engineer, shall bring an action for an injunction against any person violating or threatening to violate any order issued by the

Sanitary Engineer. In an action for injunction to enforce any final order of the Sanitary Engineer brought pursuant to this section, the finding by the Sanitary Engineer after opportunity for hearing, is prima facie evidence of the facts found therein.

The prosecuting attorney, upon written request of the Sanitary Engineer, may commence a civil action against any person who violates any provision of these Regulations or order.

ARTICLE V
CONSTRUCTION OF WATER MAINS AND
SERVICE CONNECTIONS

	<u>Page</u>
5.1 Application for Water Service.	68
5.2 Use of Private Capital for Development and Extension of District Water Facilities. . . . .	.68
5.3 Construction by Private Entities. . . . .	.71
5.4 Limited Connections.	81
5.5 Water Meters. . . . .	.81
5.6 Temporary Water Service.	82
5.7 Cross-Connection Control	83
5.8 Declaration of Water Emergency -- Mandatory Water Reduction . . . . .	.92
5.9 Fire Hydrants.	95
5.10 District Construction.	95
5.11 Special Provisions. . . . .	.96

ARTICLE V
CONSTRUCTION OF WATER MAINS AND
SERVICE CONNECTIONS

5.1 Application for Water Service

A permit to connect to the District water system must be obtained from the Clermont County Permit Central Office. An application for water service, whether new or existing, is made through the Clermont County Office of Management and Budget. See Schedule 3 of these Regulations for complete information regarding application and permit fees and charges.

An application for water service constitutes a license for the District to send authorized employees onto the property of the applicant for the purpose of installing, reading, maintaining, repairing, removing a water meter, or engaging in any other activity with regard to water service that may be reasonably necessary.

5.2 Use of Private Capital for Development and Extension of District Water Facilities

5.2.1 General

This Section covers the extension of District-owned water service facilities by private capital where facilities to be constructed are proposed to be integrated with District facilities in such areas as residential developments; industrial parks; or individual residential, commercial and industrial installations.

5.2.2 Cost Sharing with District

The District may share in the cost of installing water service facilities for a private development provided that any portion of

that development is constructed in manner, capacity, or size to serve existing or future connections off-site of the development.

5.2.2.1 Method of Cost Sharing

The cost of the work eligible for cost sharing may be paid by the District in a lump sum; by furnishing materials; and/or, by District construction of off-site facilities and lump sum payment to the District by the developer.

5.2.2.2 Determination of Share

The amount the District will share in the cost of an eligible portion of a project shall be determined during the planning phase of the development by negotiations between the Sanitary Engineer and the developer. A developer must obtain at least three bids for the work and the District will pay its share based on the amount of the lowest bid.

Off-site cost may be ineligible for cost sharing if the work is not undertaken in accordance with District plans or if the work's value to the District cannot be determined.

5.2.3 Recoupment of Costs Borne by Private Developer

In cases where a private developer wishes to fund the extension of water service facilities, the developer may recoup part of the costs of such extension from users who may, in the future, wish to tap into the private developer's extension. Such costs may be recouped by means of a reimbursement resolution.

A developer who wishes to recoup costs by means of a reimbursement resolution must obtain at least three bids for the work proposed to be performed. Costs to be recouped are based on the lowest of the bids.

A reimbursement resolution, prepared and adopted by the Board of County Commissioners pursuant to the provisions of Ohio Revised Code §307.73, may be requested where a private developer proposes to construct a water main and wishes to recoup the expense. The terms of the request for reimbursement must be provided prior to construction. The following must be provided to the Sanitary Engineer at the time of making the request:

- A) Request for reimbursement of construction costs.
- B) Completed reimbursement resolution form.
- C) Tax maps with names of all affected properties.
- D) Copies of property deeds including tax identification and parcel numbers, school district, book, page and plat number, if applicable.
- E) Three itemized bids for project.
- F) Two blue line drawings of approved plans.

A ten-year limit exists on a developer's ability to obtain recoupment. A property otherwise benefitted by water service pursuant to this Section but lacking or with minimal road frontage will be assumed to have a minimum of one hundred feet of benefitted road frontage for the purpose of calculating its share of the project cost.

Upon passage of the Resolution by the Board of Clermont County Commissioners, the developer must file the Resolution with the County Auditor. Clermont County assumes no responsibility for filing a reimbursement resolution with the County Auditor.

5.2.4 Specifications and Inspections

All work by private developers which will be dedicated to, operated by, or otherwise made a part of the District's system shall be constructed in accordance with the District's standard drawings, specifications, and directives. Such standard drawings and specifications are available at the Office of the Sanitary Engineer and may be amended from time to time by the Sanitary Engineer. All work shall be inspected by the District and receive final approval of the inspector before acceptance by the Sanitary Engineer. Information concerning inspection fees and permits are set forth in these Regulations.

5.3 Construction by Private Entities

No person or entity shall open any street, land, roadway, highway, easement or public way for the purpose of connecting to or disconnecting from the District water system without first receiving written authorization from the appropriate authorities.

5.3.1 Review and Approval of Plans

No person or entity shall construct or install a water system which will connect to the District system until the plans therefor have been submitted to and approved by the Sanitary Engineer. The District shall make a charge, as set forth in Schedule 3, for such review. If the plan developer does not obtain a permit within one year of initial plan review and approval, the plan shall be subject to another plan review and an additional plan review fee.

Drawings and specifications of the facilities proposed to be constructed shall be submitted in triplicate. Drawings shall be on standard size sheets, 24" x 36". The location and profile of water

service facilities shall be shown on the drawings. Pavements, utilities, driveways, culverts, inlets, drains, sanitary sewers, manholes, water mains, valve boxes, fire hydrants, and other miscellaneous structures or topographic features shall be shown on the drawings. Drawings of the proposed facilities shall be shown in sufficient detail to permit a contractor to construct the facility without the aid or necessity of supplemental explanatory drawings.

All plans shall be accompanied by an area plan showing all existing and proposed water service facilities within the area to be served together with copies of all pertinent computations of the design of the water service facilities. Construction plans shall be drawn to a minimum scale of one (1) inch equal fifty (50) feet. Area plans shall be drawn to a scale of one (1) inch equal two hundred (200) feet.

All elevations shall be referenced to sea level datum and each plat shall show the description and elevation of the bench mark (or marks) used in the development survey. All plans shall bear the signature and seal of the registered professional engineer who prepared them.

In granting an approval of the plans, the Sanitary Engineer may include such modifications and conditions as the public health and prevention of pollution may require.

If the plan developer does not obtain a permit within one year of initial plan review and approval, the approval expires and the plan shall be subject to another plan review and an additional plan review fee.

5.3.2 Design and Construction Standards

The design and construction standards and specifications adopted by the Sanitary Engineer for use in connection with these Regulations are available at the Office of the Sanitary Engineer and may be amended from time to time by the Sanitary Engineer. These standards and specifications may be amended from time to time by the Sanitary Engineer.

5.3.2.1 Persons Qualified to Perform Work

No person shall perform work on, install, or make connections to a facility proposed to connect to the District's system unless he has been approved by the Sanitary Engineer. The Sanitary Engineer may disapprove the request for approval of any person if in the opinion of the Sanitary Engineer, the person is not qualified. The Sanitary Engineer may cancel his approval in the event the work performed by the person does not meet applicable standards of performance.

5.3.2.2. Required Materials

All water service lines two inches (2") or smaller between the water main and the water meter shall be copper tubing, type K. All water service lines larger than two inches (2") shall be copper or ductile iron pipe from the water main through the pit to a distance of three feet (3') on the building/structure side of the pit. On all water service lines four inches (4") or larger fittings shall be ductile iron. Suitable fittings shall be used, where required, on water service lines smaller than four inches (4").

5.3.2.3 Water Mains on Steep Slopes

Water mains with slopes of fifteen percent (15%) or greater shall be ductile cast iron pipe, Class 53. Key block anchors shall be used as shown on the standard drawings.

5.3.2.4 Use of Casing Pipe

When required by the applicable regulatory authority, water mains and water service lines shall be installed in casing pipe conforming to the standards of the District, the County Engineer's Office, the State of Ohio, political subdivision, or railroad, that applies to the improvement to be constructed.

5.3.2.5 Pumps

Where a pump has been installed on the service line to or within any premises, the pump shall be equipped with a low pressure cut-off device designed to shut off the pump when the pressure in the service line on the suction side of the pump drops to twenty (20) pounds per square inch gage or less.

The consumer shall maintain the low pressure cut-off device in proper working order and certify to the Sanitary Engineer at least once a year that the device is operable.

5.3.2.6 Water Service Line Minimum Diameter Requirements

Water service lines between the water main and the meter serving a premises shall be constructed or installed by the District unless the line is part of a fire line, is six inches (6") or larger in diameter, or serves a 3" or larger water meter.

The service line shall meet the following minimum diameter

requirements:

Single-family residence: 3/4"

Multi-family residence (2-4 units): 1"

Multi-family residence (5-11 units): 1-1/2"

Multi-family residence (12 units or more): 2"

Sizes for other installations shall be determined by the Sanitary Engineer.

Public water mains shall be eight inches (8") or larger and shall be installed by a licensed and qualified contractor or plumber.

5.3.2.7 Water Service Line Maintenance

The portion of any water service line between the water main and the property or right-of-way line shall be maintained by the District. The portion between the property or right-of-way line and the building served shall be maintained by the owner of the property. That section of the water service line to be maintained by the District shall be installed for ease of maintenance, see Section 5.3.3.4, below.

5.3.3 Placement of Water Service Facilities

5.3.3.1 Location of Water Service Line

No water service line shall be installed to serve property which does not have frontage on or abut the street or road on which a water main is located without the Sanitary Engineer's approval.

Unless otherwise authorized by the Sanitary Engineer, every building, structure, or facility where water is used shall have a separate water service line and meter. No water connection into

more than one building shall be made from any one water service line without the Sanitary Engineer's written approval. In granting such authorization, the Sanitary Engineer may impose such conditions as he deems appropriate to protect the District water system and the health of the public.

5.3.3.2 Perpetual Easement Required for Water Main

Persons proposing to construct a water main to be connected to the POTW must obtain and/or grant a thirty foot (30') perpetual easement and right-of-way for utility purposes of constructing, operating, maintaining, repairing, replacing, and removing or reinstalling water mains and all incidental fixtures required in, on, under and across the grantor's property. Such easement shall be in favor of the Clermont County Board of County Commissioners.

5.3.3.3 Separation from Other Utilities

Water mains must be constructed to maintain a minimum clearance of 10 feet horizontal and eighteen inches vertical between storm sewers, and other utilities, unless otherwise approved by the Sanitary Engineer. Water mains may not be placed in the same trench as sanitary sewer mains.

5.3.3.4 Placement for Ease of Maintenance

Water mains shall be constructed ten feet off one edge of the easement to allow for utilization of the remaining twenty feet. Water mains and water service lines shall not be placed in driveways or in any location where maintenance or repairs will be, in the judgment of the Sanitary Engineer, difficult or costly to perform or where either the user or District will have significant

problems or costs to initiate and complete repairs to the main.

If a water main or water service line is placed in such a location without specific, prior approval of the Sanitary Engineer, the person who caused such work to be done shall bear the expense of repairing and removing such water mains or water service lines.

5.3.3.5 Depth of Installation

All water service lines shall be installed at least forty-two inches (42") deep. The depth of installation of water mains is set forth in the District standard specifications and drawings.

5.3.3.6 Service by Interconnecting Lines Prohibited

No premises or property shall be supplied through two or more connecting water service lines.

5.3.4 Water System Construction Permits

Upon approval of the plans and specifications by the Sanitary Engineer and OEPA, the plan developer may apply for a construction permit. No person shall construct or install water mains or appurtenances that will be connected directly or indirectly to the District water system, or make a change in such facilities, without a permit issued by the District.

The exact location of the proposed installation of a water service line shall be shown on the plans accompanying the permit application form.

When the permit application is made, the District shall furnish the property owner a stake. Before the water service line is installed, the owner shall drive the stake at the location on

the property where the meter is to be set. Failure to properly place the stake shall be sufficient cause to withhold water service line installation.

Applications for permits shall be accompanied by the permit fee and inspection fee, set forth in Schedule 3, plus three copies of detailed drawings and specifications of the facilities proposed to be constructed. No permit will be issued without payment in full. All permits expire one (1) year from date of issuance.

5.3.5 Inspection During Construction

All water system facilities, including but not limited to, water supply, distribution, treatment, pumping services, and storage facilities, shall be inspected during construction by the Sanitary Engineer to ensure compliance with the standards set forth herein, approved plans and specifications, and these Regulations. No water system facilities shall be covered or enclosed until they have been inspected and approved. Any facility covered before inspection shall be uncovered at the direction of the Sanitary Engineer, and at the cost of the plan developer, for the purpose of inspection and approval.

The inspection fee, set forth in Schedule 3, is payable at the time of application for a construction permit.

5.3.6 Water System Capacity Charge

A system capacity charge, set forth on Schedule 1, shall be required of each user proposing to connect, directly or indirectly, to the District water system. The system capacity charge is based on the type and size of connection as set forth in Schedule 1. This

charge must be paid in full at the time of making application for a permit to construct/connect.

Indirect connections consist of connections made into any line which provides or shall provide water from a District facility, whether the receiving line being tapped is District owned or privately owned.

5.3.7 Surety for Private Construction

Water distribution systems installed pursuant to Section 5.3 shall be guaranteed by the developer against any and all defects of workmanship and materials for a period of thirteen months from the date of notice by the Board of County Commissioners tentatively accepting and placing the systems in service. The guarantee shall be a surety bond in a form satisfactory to and approved by the Board of County Commissioners in an amount equal to five percent (5%) of the estimated construction costs as determined by the Sanitary Engineer, but not less than one thousand dollars (\$1,000). Such bond shall be effective not more than four weeks prior to its approval by the Board.

During the guarantee period, the components of the privately developed system shall be maintained by such person in good and proper operation and repair. The developer guarantees payment of the cost of all labor, materials, tools, equipment, and any incidentals required to repair and replace any part of such system to maintain it in good and proper working order. Such activities may include, but are not limited to street repair, refilling of trenches, and restoration of lawns, sidewalks, yards, streets and

shrubs.

5.3.8 Submission of Record Drawings

After completion of construction and prior to the Sanitary Engineer's recommending acceptance of any components of a privately constructed water distribution system, the developer shall submit record drawings to the Sanitary Engineer complete with the seal of a registered professional engineer indicating actual field elevations and alignment of all constructed facilities. A developer will be reimbursed \$50.00 of the previously paid plan review fee upon submission of the record drawings in an electronic format in accordance with specifications approved by the Sanitary Engineer.

5.3.9 Dedication of Private Construction

Upon completion of the construction and the final inspection and approval by the Sanitary Engineer of the facility proposed to be dedicated to the County, the owner shall, by proper deed, transfer ownership of said components, including lands, rights-of-way or easements, to the Clermont County Board of County Commissioners. Upon completion of the construction and the final inspection and approval by the Sanitary Engineer of the facility, the owner shall, by proper deed, transfer ownership of said components, including lands, rights-of-way or easements, to the Clermont County Board of County Commissioners. Upon acceptance, the facilities shall become the property of the County.

No privately developed water system will be accepted unless a thirty foot (30') perpetual easement and right-of-way for utility purposes of constructing, operating, maintaining, repairing,

replacing, and removing or reinstalling water utility mains and appurtenances thereto required for the transportation of water in, on, under and across the grantor's property is provided to the Board of County Commissioners by the developer and unless approved record drawings have been provided by the developer. The water main shall be constructed ten feet (10') off one edge of the easement to allow for utilization of the remaining twenty feet (20').

5.4 Limited Connections

The owner of premises that do not abut a water main may connect to the District water system, upon approval of the Sanitary Engineer, subject to the following conditions:

- A. Only one parcel of property separates the premises proposed to be served and the water main;
- B. The owner of the intervening property executes a permanent, ten foot (10'), water easement in favor of the owner of the property requesting service;
- C. The owner of the property requesting service executes a limited tap-in agreement with the District.

The District will record the Limited Tap-In agreement. See Limited Tap-in Agreement, Schedule 8. The execution of such limited tap-in agreement in no way limits the Board of County Commissioners from assessing such premises for water service (See Sections 5.10.1 and 5.10.2 below) and thereafter rescinding the limited tap-in agreement and discontinuing water service through the connection made pursuant to that agreement.

5.5 Water Meters

Water meters shall be of a type and installed in compliance with District standards. Each water service line shall be metered separately.

5.5.1 Water Meter Testing

When requested by a water customer, the District shall remove and test water meters for accuracy of reading. The cost of testing shall be paid by the customer if the accuracy of the meter is within five percent (5%) of its correct reading. If the meter accuracy is not within five percent (5%) of the correct reading, the cost of the testing shall be borne by the District, and the District shall provide and install a new or repaired and tested meter at no cost to the customer. The charges for removal, testing, and reinstallation of water meters are set forth in Schedule 5.

5.5.2 Water Service Line for Fire Protection

Meters may be omitted on water service lines that are used solely for fire protection and/or sprinkler systems where such lines have no outlets that would allow other uses or consumption.

5.6 Temporary Water Service

Water for temporary use will be supplied as provided below:

5.6.1 Temporary Meter

A temporary meter is available in certain cases, for example, to serve a construction site. Where a temporary meter has been installed by the District, water required shall be secured only from a temporary water service line connected to the water main serving the site. The person who desires temporary water service shall make application for a permit to connect to the system and use water temporarily.

At the time of application, the owner shall pay a permit fee

and meter installation fee. The installation fee is based on the size of meter requested and is set forth in Schedule 2. The rates for water use, based on meter size, are set forth in Schedule 4.

The temporary water service line and meter shall be installed by the Clermont County Sewer District. The meters shall be removed by the District when temporary water service is discontinued.

5.6.2 Permanent Meter

The owner of premises on which a new building is to be constructed may obtain water service during construction on a temporary basis.

The District shall install the water service connection and meter. Upon request of the owner of the premises, the District will shut off water service off until the newly constructed building is occupied or sold. No minimum or other charge shall be made while water is shut off. Water service shall not be restored until the new owner and/or occupant makes formal application to the District for service.

5.6.2 Removal and Tampering Prohibited

No person shall, for any reason, remove or tamper with a District meter.

5.7 Cross-Connection Control

5.7.1 Cross-Connection Policy

Cross-connection is not permitted at any premises served by the District. The purpose of this prohibition is:

- A. To protect the public water supply from contamination or pollution by isolating within the consumer's water system contaminants or pollutants which could backflow through the service connection into the District's waterworks.

- B. To promote the elimination of existing and potential cross-connections between the District's and consumers' potable water systems and non-potable water systems, plumbing fixtures, and sources or systems containing process fluids.
- C. To provide for a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of the District's and consumers' water systems.

5.7.2 Backflow Prevention Policy

The Sanitary Engineer shall be responsible for protection of the public water system from contamination due to backflow of contaminants through the water service connection. If, in the judgment of the Sanitary Engineer or his authorized representative, a backflow prevention device is required, a notice shall be given to the consumer to install such an approved backflow prevention device at each service connection to his premises. The consumer shall immediately install such approved device or devices at his own expense, and failure, refusal or inability on the part of the consumer to install such device or devices immediately shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed.

5.7.3 Cross-connections Prohibited

No water service connection shall be installed or maintained to any premises where a cross-connection between the District's potable water system and a consumer's water system exists or may be installed until such cross-connection is eliminated or the potential for installing a cross-connection is controlled to the satisfaction of the Sanitary Engineer.

No connection shall be installed or maintained whereby an

auxiliary water supply may enter the District's potable water system or a consumer's wastewater system unless the auxiliary water supply, the method of connection, and the use of such supply has been approved by the Sanitary Engineer or the OEPA as required by Ohio Revised Code §6109.13 and other provisions of law.

5.7.4 Survey and Investigations

A consumer's premises shall be open at all reasonable times to the Sanitary Engineer or his authorized representative to permit surveys and investigations of water use practices within the consumer's premises and for the determination of whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the District's water system.

At the request of the Sanitary Engineer or his authorized representative, a consumer shall furnish information on water use practices within his premises.

The water consumer shall conduct periodic surveys of water use practices on his premises to determine whether there are actual or potential cross-connections to his water system through which contaminants or pollutants could backflow into his or the District's potable water system.

5.7.5 Cross-connection Protection Required

- A. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving a premises where the Sanitary Engineer or the Director or OEPA determines an actual or potential hazard to the District's potable water system exists.
- B. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving a premises where the following conditions exist:

1. Premises having an auxiliary water supply, unless the auxiliary supply is accepted as an additional source by the Sanitary Engineer, and the source is approved by OEPA.
 2. Premises on which any substance is handled in such a fashion as to create an actual or potential hazard to the District water systems including premises having sources or systems containing process fluids or waters which are not under the control of the Sanitary Engineer.
 3. Premises having internal cross-connections that, in the judgment of the Sanitary Engineer, are not correctable or have intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.
 4. Premises in which, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.
 5. Premises having a history of cross-connections being established or reestablished.
 6. Others as determined by the Sanitary Engineer.
- C. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving the following types of facilities, unless the Sanitary Engineer determines that no actual or potential hazard to the District's water system exists:
1. Hospitals, mortuaries, clinics, nursing homes
 2. Laboratories
 3. Piers, docks, waterfront facilities
 4. Sewage treatment plants, sewage pumping stations, or storm water pumping stations
 5. Food or beverage processing plants
 6. Chemical plants
 7. Metal plating facilities
 8. Petroleum processing or storage plants
 9. Radioactive material processing plants or nuclear reactors

- 10. Car washes
 - 11. Others facilities as determined by the Sanitary Engineer or the Director of OEPA
- D. An approved backflow prevention device shall be installed at any point of connection between the District's or consumer's water system and an auxiliary water supply unless such auxiliary supply is accepted as an additional source by the Sanitary Engineer and the source is approved by OEPA.

5.7.5.1 Type of Cross-Connection Protection Required

The type of protection required under Section 5.7.5.B, above, shall depend on the degree of hazard which exists as follows:

- A. An approved air gap separation shall be installed where the District's water system may be contaminated with substances that could cause a severe health hazard.
- B. An approved air gap separation or an approved interchangeable connection shall be installed where the District's water system may be contaminated with a substance that could cause a hazard to the system or a health hazard.
- C. An approved air gap separation, an approved reduced pressure principle backflow prevention device, or an approved double check valve assembly shall be installed where the District's water system may be polluted with substances that could cause a pollution hazard.

Where an auxiliary water supply is used as a secondary source of water for a fire protection system, the provisions of Section 5.7.5.1.A, above, do not apply except under the following circumstances:

- A. At premises where the auxiliary water supply may be contaminated with substances that could cause a hazard to the system or a health hazard, the District's or consumer's potable water system shall be protected against backflow by installation of an approved reduced pressure principle backflow prevention device.
- B. At all other premises, the District's or consumer's potable water system shall be protected against backflow by installation of either an approved reduced pressure principle backflow prevention device or an approved double check valve assembly.

- C. At premises where the water in the fire protection system is used for fire protection only with no domestic use of water from the fire protection system, the system shall be isolated from the District's water system by an approved detector check valve arrangement.

5.7.5.2 Backflow Prevention Devices

Any backflow prevention device required by these Regulations shall be approved by the Sanitary Engineer and the Clermont County General Health District and shall comply with the following:

- A. An air gap separation shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one inch.
- B. A double check valve assembly or a reduced pressure principle backflow prevention device shall be approved by the Sanitary Engineer and shall appear on the current list of approved backflow prevention devices of OEPA.
- C. A dual check valve shall be the minimum acceptable device for standard residential and commercial service which poses no threat to the District's water system.

Existing backflow prevention devices approved by the Sanitary Engineer or OEPA at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirements of Section 5.7.5.2.A, above, provided the Sanitary Engineer determines that they will satisfactorily protect the District's water system. Whenever an existing device is moved from its present location, requires more than minimum maintenance, or when the Sanitary Engineer finds that the maintenance of the device constitutes a hazard to health, the device shall be replaced by a backflow prevention device meeting the requirements of these Regulations.

5.7.5.3 Installation of Backflow Prevention Devices

Backflow prevention devices required by these Regulations shall be installed at a location and in a manner approved by the Sanitary Engineer and/or the Clermont County General Health District, depending on jurisdiction, and shall be installed by and at the expense of the water consumer. Any backflow prevention device required by 5.7.5.B.2 and 5.7.5.B.3, above, shall be installed at a location and in a manner approved by OEPA as required by Ohio Revised Code §6109.13 and other provisions of law.

Backflow prevention devices installed on the service line to a consumer's water system shall be located on the consumers side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.

Pits or vaults shall be of water-tight construction, located and constructed to prevent flooding and shall be maintained free from standing water by means of either a sump pump or a suitable drain. The sump pump or drain shall not connect to a sanitary sewer and shall not permit flooding of the pit or vault by reverse flow from its point of discharge. An access ladder shall be provided to permit maintenance inspection and testing of the backflow prevention device.

Backflow prevention devices may be installed inside the building in a location prior to any connection and as close as possible to the point of entry of the service line.

Reduced pressure principle backflow prevention devices shall be installed inside of the building and above the existing grade where positive drainage can be provided.

Reduced pressure principle backflow prevention devices shall not be installed in underground vaults.

5.7.6 Inspection and Maintenance

The owner of any premises containing a backflow prevention device other than the dual check valve shall have the device inspected, tested, and overhauled by a certified technician in accordance with the following schedule or more often where inspection so indicates.

- A. Air separation shall be inspected at installation and at least every twelve months thereafter.
- B. Double check valve assemblies shall be inspected and tested for tightness at installation and at least every twelve months thereafter or whenever overhauled. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every thirty months.
- C. Reduced pressure principle backflow prevention devices shall be inspected and tested for tightness at installation and at least every twelve months thereafter or whenever overhauled. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every five years.
- D. Residential dual check valves need not be tested unless there is an indication they have ceased to function properly.

Inspections, tests, and overhauling of backflow prevention devices shall be at the expense of the water consumer and shall be performed by a person approved by the Sanitary Engineer as qualified and certified by the State of Ohio to inspect, test and overhaul backflow prevention devices.

All inspections and tests shall be certified by the person performing such tests or repairs. The certification shall be submitted to the Sanitary Engineer and the Clermont County General Health District.

Whenever backflow prevention devices required by these Regulations are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.

The water consumer must maintain a complete record of each backflow prevention device from purchase to retirement, including a comprehensive record of all tests, inspections, repairs, and overhauls. Such records shall be submitted to the Clermont County General Health District annually.

Backflow prevention devices shall not be bypassed, made inoperative, removed, or otherwise made ineffective without the Sanitary Engineer's and Clermont County General Health District's specific written authorization.

5.7.7 Booster Pumps

Where a booster pump has been installed on the service line to or within any premises, the pump shall be equipped with a low pressure cut-off device designed to shut off the booster pump when the pressure in the service line on the suction side of the pump drops to twenty (20) pounds per square inch gauge or less. The consumer shall maintain the low pressure cut-off device in proper working order and certify to the Sanitary Engineer at least once a year that the device is operable.

5.7.8 Penalties for Violation of Backflow Regulations

The Sanitary Engineer shall deny or discontinue, after reasonable notice to the occupant thereof, the water service to any premises in which any backflow prevention device required by these

Regulations is not installed, tested, and maintained in a manner acceptable to the Sanitary Engineer, or where the backflow prevention device has been removed or bypassed, or where an unprotected cross-connection exists, or a low pressure cut-off required by these Regulations is not installed and maintained in working order.

Water service to such premises shall not be restored until the consumer has corrected or eliminated conditions or defects in conformance with these Regulations and to the satisfaction of the Sanitary Engineer.

5.8 Declaration of Water Emergency -- Mandatory Water Reduction

The District shall exert every effort to supply water at normal pressures. Nothing in these Regulations constitutes a guarantee, by implication or otherwise, that Clermont County will provide continuous uninterrupted water supply or any specific water pressure. Further, the Board of County Commissioners, upon recommendation of the Sanitary Engineer, may declare a water emergency upon determination of an imminent threat to the public health, welfare, or safety, and may prohibit or limit non-essential water use in the event of water supply shortages or water supply contamination.

The emergency may be declared for a portion of the distribution system or on a District-wide basis. Publication of a water emergency declaration may be given by means of any of the following: television or radio broadcasts, newspaper publication, or written notice to the water user in the form of either a letter or a posted notice at the supplied premises.

5.8.1 Non-essential Uses Defined

The term "non-essential water use" shall include, but is not limited to, the following:

Watering of lawns and gardens

Non-commercial washing of motor vehicles

Filling of private recreational pools and ponds

Private recreational activities involving water consumption

Construction water

Other similar uses as determined by the Sanitary Engineer

Uses directly related to sustaining life or health of persons, domestic animals, or livestock are exempted from this definition.

5.8.2 Penalties for Violation of Water Emergency Regulations

Non-essential uses of water shall be prohibited or limited upon the declaration of a water emergency. Any person or other party who violates the declaration of a water emergency through the non-essential use of water shall be subject to the following action:

- A. FIRST VIOLATION: The District will send a letter to the user warning that a water emergency prohibiting non-essential use of water has been declared and that failure to adhere to rules pertaining to the declaration will result in additional consequences.
- B. SECOND VIOLATION: A person who has received the warning letter described above and who continues to violate the rules pertaining to the use of water during the pendency of a declared water emergency shall be billed for all water use at the highest rate level then existing for actual water consumption during that billing cycle.
- C. THIRD VIOLATION: A person who violates the rules pertaining to the use of water during the pendency of a declared water emergency for a third time shall be billed for all water and sewer use at twice the highest rate level then existing. No credit shall be given as otherwise permitted under these Rules and Regulations.

D. FOURTH VIOLATION: The District shall shut off water service to the premises where water is being improperly used so that a fourth violation of the rules pertaining to the use of water during the pendency of a declared water emergency exists.

Each determination of a violation of non-essential water use occurring more than twenty-four (24) hours after the previous violation is a new and separate violation.

In addition to any other provision herein, the District may request the Office of the Prosecuting Attorney to obtain injunctive relief in a court of competent jurisdiction for the purpose of prohibiting consumption of water in contravention of the water emergency declaration. The failure to seek injunctive relief shall not be deemed a waiver of any enforcement provided herein.

5.8.3 Requests for Exemption from Emergency Rules

Any person desiring a specific exemption for non-essential water use may apply for an exemption in writing to the Sanitary Engineer setting forth the identity of the applicant, his/her current address, the usage for which exemption is sought, the approximate water consumption anticipated, the time or times of day said usage is to take place, and any other pertinent information to enable the Sanitary Engineer to determine the basis and need for the requested exemption. The Sanitary Engineer or his authorized representative shall review any exemption requests within two working days of receipt and may make any further inquiry necessary to ensure adequate review of the application.

Within three working days of receipt, the Sanitary Engineer shall notify the applicant in writing of the rejection or approval

of the exempted activity and may set forth any such terms or conditions as he determines appropriate which shall become a part of the exemption. Service of such notification shall be made to the applicant in person or by leaving a copy at the address of the person as set forth in the application.

5.9 Fire Hydrants

Fire hydrants are installed for the exclusive use of fire departments and the District. Fire hydrants connected to the District's water system shall be of a type provided for in the District's standards and specifications, available at the Office of the Sanitary Engineer.

No person other than an employee of the District, Fire Department, or the Sanitary Engineer shall connect to or in any way use a fire hydrant on the District's water system. Except in case of emergency, no person shall use any wrench or tool other than the regulation District spanner on a District fire hydrant.

5.10 District Construction

The construction of extensions to previously installed water distribution systems to serve areas or streets not already supplied with water shall be in accordance with one of the following procedures:

5.10.1 By Petition

All of the property owners to be benefitted by any water improvement or extension may, by petition to the Board pursuant to Revised Code §6103.11, request the improvement. Such property owners are subject to assessment for the cost of the improvement.

5.10.2 By Assessment

The District may determine that it is necessary to construct water service improvements and, pursuant to Revised Code §6103.081, assess the property owners to be benefitted by such improvements for the cost of such construction.

5.10.3 Revenue Bonds or District Capital Improvement

The District may construct or extend water mains to serve dedicated streets, township roads, county roads, and state highways if additional revenue bonds can be issued under and in full compliance with the terms of the bond resolution and trust agreement, or if there are sufficient funds in the capital improvement fund.

5.11 Special Provisions

5.11.1 Pollution Prohibited

No person, firm or other entity shall deposit any deleterious substance upon, cause any damage to, or create a nuisance of any kind upon the property of the District's water system or any part of the system.

5.11.2 Tampering Prohibited

No person without specific authorization from the Sanitary Engineer shall tamper with, harm or attempt to harm any portion of the District's water system upon the premises of private or public owners.

5.11.3 Removal of Meters Prohibited

No person other than an authorized employee of the District shall remove a meter without permission of the Sanitary Engineer.

When a meter has been unlawfully removed, it shall be unlawful to use water supplied by the water service line to which the meter was attached. Where a meter is found to have been unlawfully removed, the District shall shut off service immediately. Service to that water service line shall not be restored until the meter is reinstalled, payment has been made for the estimated amount of water used, any penalties that may have been imposed, and other required fees set forth in these Regulations.

ARTICLE VI
DISTRICT ACCOUNTING AND
USER RATES AND FEES

	<u>PAGE</u>
6.1 GENERAL	
6.1.1 Funds.	99
6.1.2 Records and Accounts.	99
6.1.3 Annual Review	100
6.1.4 Billing Categories . . . . .	.101
6.2 WATER SYSTEM	
6.2.1 Water Line Constructions . . . . .	.102
6.2.2 Water Line Connections . . . . .	.102
6.2.3 Application for Water Service	106
6.2.4 Water Service Billing and Payment	107
6.2.5 Penalties and Collections	109
6.2.8 Miscellaneous Charges	113
6.3 SEWER SYSTEM	
6.3.1 Sewer Line Construction	114
6.3.2 Sewer Connections	114
6.3.3 Application for Sewer Service	115
6.3.4 Sewer Service Billing and Collection . . . . .	.116
6.3.5 Penalties and Collections	117
6.3.6 Miscellaneous Charges	117
6.3.7 Industrial Wastewater Pre-Treatment	124
6.3.8 Cost Recovery	124

ARTICLE VI
DISTRICT ACCOUNTING AND
USER RATES AND FEES

6.1 GENERAL

6.1.1 Funds

Fees and charges collected for service rendered in connection with the maintenance and operation of the District POTW shall be kept separate from County funds and accounts. These funds shall only be used to pay the cost of maintenance, repair, operation, replacement, extension and improvement of the POTW; acquisition of property or facilities for use by the District; the review of plans and specifications of POTW facilities; or the conduct of studies and analyses and the preparation of plans, reports, specifications and other documents related to the POTW; and other matters associated with the operation, repair maintenance, replacement, development, extension, and improvement of the POTW.

The following funds shall be established and used for the various activities of the District's sewage system and water system: revenue, debt service, replacement, capital improvements.

6.1.2 Records and Accounts

The Sewer District shall maintain its accounting records according to Generally Accepted Accounting Principals as needed to manage operations efficiently. Expenses relating to system operations shall be subdivided within the categories noted by type of expense, such as salary and wages, maintenance and repair, replacement, utilities, materials and supplies, professional services.

A proper and adequate system of cost accounting shall be established and placed into operation by the District to ensure proper distribution of credits and charges to the correct account or fund for water and sewer revenues and expenses. This accounting system is required by the respective "Bond Resolution" authorizing issuance of revenue bonds for various subdistricts or improvements and the Ohio Revised Code. The books of the District shall be audited annually by an independent auditor. Six (6) copies of his report, containing his findings and recommendations, shall be submitted to the Board, with additional copies sent to the County Auditor, County Treasurer, Sanitary Engineer and Prosecuting Attorney as provided in the bond resolutions.

6.1.3 Annual Review

The Sanitary Engineer shall review annually the contribution to District revenues of the public wastewater system and wastewater service users and user classes, the total costs of operation and maintenance of the District, and the user charge regulations. On the basis of this review, the Sanitary Engineer shall recommend to the Board of County Commissioners any revisions in the user charges and/or regulations which the Sanitary Engineer may deem necessary to accomplish the following:

- A. Maintain the proportionate distribution of operation and maintenance costs among users and classes; and,
- B. Generate sufficient revenue to pay to the total costs necessary for the proper operation and maintenance (including replacement) of the District water and wastewater systems.

6.1.4 Billing Categories

Billing categories are: single family residential, multi-family residential, commercial, and public water supplier. Where more than one single family residence is served by a single meter, e.g. mobile home parks, condominiums, that single meter shall be billed based on the number of single family units.

All users shall share equitably in the costs of operation and maintenance, replacement and administration of the District water and wastewater works in proportion to the costs for providing each user with water and sewer service. Discounts shall not be provided to large volume wastewater dischargers.

6.1.4.1 Residential Use

A premises is considered to be in "residential use" when it is primarily occupied as a dwelling.

6.1.4.2 Other Use

All users of any class other than residential consuming water from or discharging wastewater into the POTW.

6.2 WATER SYSTEM

The connection of a water service branch, pursuant to Article V of these Regulations, is accomplished by submitting an application for water service and paying the related fees. No permits will be issued without payment in full of all fees, including, but not limited to, permit, system capacity, meter and installation. In the case of assessment projects, assessments of fees to property taxes may be considered payment in full.

6.2.1 Water Line Construction Charges

6.2.1.1 Water Line Plan Review Fee

At the time of plan submission for District approval, pursuant to Article V of these Regulations, a fee, shown in Schedule 3, shall be required for plan review. Plans shall be subject to a new plan review and plan review fee if commencement of construction does not take place within twelve months of the date of the initial approval letter. All plan approvals expire twelve months from the date of issuance.

6.2.1.2 Water Line Inspection Fee

Prior to commencement of water line construction, a fee, shown in Schedule 3, shall be required for the inspection of the proposed construction.

6.2.1.3 Water Line Connection Permit Fee

The application for a Permit to Connect shall be accompanied by the permit fee as set forth in Schedule 3.

6.2.1.3.2 Water System Capacity Charge

A separate service connection and meter is required for each structure for which the District provides water service, either directly or indirectly, except as authorized by the Sanitary Engineer. A system capacity charge, based on type and size of connection, shall be required for each structure utilizing District water facilities and is set forth on Schedule 1. The system capacity charge must be paid in full before the District will provide service.

Indirect connections consist of connections made into any line

which conveys or shall provide water from a District facility, whether the line being tapped is District-owned or privately owned.

6.2.1.4 Water Meter Fee

A fee set forth in Schedule 2 shall be paid to cover the actual cost of the water meter plus 10%.

6.2.1.5 Water Line Installation Fee

The cost of installation by the District shall be determined based on the appropriate meter size, as shown on Schedule 2.

6.2.2 Application for Water Service

All persons or entities wishing to obtain water service from the District shall sign an Application for Service as shown in Schedule 9. The owner of the property to be served, if different from the applicant, shall also sign the Application. This Application becomes a binding agreement upon the applicant, the property owner, and the District.

6.2.2.1 Application Procedure and Fee

All persons or entities wishing to obtain water service, whether on new or existing water service lines, shall make written application on a form provided by the District. Such application must include the name and address of the property owner, the name of any occupant of the premises if not the owner, the address where bills shall be mailed, and the address of the premises served.

An executed application for service provides the District with a license to go on to a user's premises for the purpose of installing, maintaining, repairing and/or replacing a water meter and all appurtenances thereto.

An application fee, as set forth in Schedule 3, is required where service will commence through an existing water service line. Where service will be through a new water service line, such fee is part of the fee for the permit to connect.

The District will permit the commencement of service before the application is signed. The applicant must, however, sign the application and pay the associated application fee for water service within thirty (30) days of the initial date service is provided. If the signed application is not received by the District within this (30) day period, water service shall be discontinued.

No application for water service shall be approved and no water shall be supplied to any applicant where the applicant is indebted, at the time of application, to the District for service supplied, work performed, material furnished or penalties imposed by the District.

6.2.2.2 Customer responsibility for accessibility to water meter

Customers who receive water and/or sewer service from the District grant a license to the District permitting District employees to enter onto their premises to read, inspect or maintain the water meter serving those premises, or for any other reasonable purpose. Further, customers are responsible for maintaining the area surrounding water meter in such condition as to permit ease of access to District employees for the above-described purposes and in such a way as to maintain the integrity of the water meter and its setting.

District employees who determine that a meter has become

inaccessible for some reason or that the water meter setting has been compromised will file a written report describing the problem. If, as the result of the meter's inaccessibility, the District is unable to read the meter, the customer will receive an estimated bill for that billing period. In any case, the District will notify the customer of the specific problem reported, giving the customer thirty days in which to resolve it at the customer's expense.

If, after the District inspects the meter and discovers that the problem has not been solved, the District may discontinue water service to the premises. Thereafter, water service will not be restored until the meter has been made accessible and all fees associated with service restoration have been paid in full.

6.2.2.3 Owner Liability for Payment of Water Bills

The application for water service constitutes a binding agreement upon those persons who sign, and they are jointly and severally liable for payment of any and all water service charges which accrue to the property whose address is noted in the application.

In the event a water bill becomes delinquent, the District reserves the right to use every effort to collect the amount due from any or all of the signatories to the application.

6.2.2.4 Landlord/Tenant Responsibilities for Water Bills

The Clermont County Sewer District will attempt to collect water service charges from tenants whose names appear on the Application for Service. The owner of property (landlord) shall,

however, be ultimately responsible for payment of all charges for service incurred by the tenant while on the landlord's premises.

When a tenant's bill is delinquent, the landlord shall be notified of the delinquent amount. If the landlord and/or tenant fail to pay the bill within forty days of the due date printed on the bill, the District will commence collection procedures as set forth below.

When the applicant/tenant on file moves, the applicant/tenant shall notify the District to shut off the water.

6.2.3 Temporary Water Service

6.2.3.1 Application

The permit application shall be accompanied by the fee set forth in Schedule 3. The water service connection shall be made and will include a meter.

6.2.3.2 Payment

Bills for water used, service rendered, or other miscellaneous charges shall be rendered by the District. Such bills shall be paid when due, and if not paid on or before such date, the water meter shall be removed and the water shut off. Water service and minimum charges are shown in Schedule 4.

6.2.3.3 Discontinuation of Temporary Service

Upon request, water service shall be shut off until the building is occupied or sold. No minimum or other charge shall be made while water is shut off. The water shall not be turned on for a new occupant or purchaser until the occupant or purchaser has made application to the District according to the provisions set forth above and has paid unpaid balances due the District.

6.2.4 Water Service Billing and Payment

6.2.4.1 Billing for Water Service

Bills for water service, including minimum charges and penalties, shall be mailed to the person and address specified on the water service application. The person's failure to receive bills for water service shall not relieve the person from responsibility for timely payment. A duplicate bill may be obtained upon request to the District. Bills shall indicate date of billing and the last date upon which payment may be made before a penalty will be imposed.

The District will send a bill to the person and address specified on the application for other services performed or to be performed, and for materials furnished, labor, inspection, connection charges, etc. For new connections, water service charges commence when a meter is set at the property, unless prior arrangements by the applicant and the District have been made for a different date. For existing connections, water service commences at the time the District takes a beginning read after a new request for service is made.

6.2.4.2 Water Rates, Fees and Charges

6.2.4.2.1 Standard Rates

The charges for water use shall be determined by metering of the water, or a reasonable estimate, on the basis shown in Schedule 4.

6.2.4.2.2 Minimum Charges

All water service lines or connections are subject to a minimum charge based on the size of the water meter for commercial users and on the number of dwelling units for residential users. Such charges are shown in Schedule 4. The minimum charge may apply where water service has been available for fifteen (15) days or more, or the District may pro-rate the minimum charges based on actual days of service.

6.2.4.2.3 Fire Suppression Systems

6.2.4.2.3.1 Installation Fee

The fee for installation of this type of connections is based on the actual meter size as set forth on Schedule 2. A service charge, set forth in Schedule 6, will be assessed for the administration and maintenance of this special connection, the initial payment for which must be made at the time of permit application.

6.2.4.2.3.2 Billing

On limited area fire suppression systems for residential or small businesses where a two inch (2") or one and one-half inch (1-1/2") service branch is required, a special connection is available to provide both fire protection and domestic water supply. Billing for water service and system capacity charges for domestic use will be based on a three-quarter inch (3/4") meter size (commercial or residential) and usage will be evaluated annually. In the event that the average annual bi-monthly billing exceeds by fifty percent (50%) the current minimum for a metered service, the minimum charges shall be based on the next higher

meter size and the difference in corresponding system capacity charges shall be due. Should the average annual bi-monthly billing fall below the minimum established for the next lower meter size, the minimum shall be lowered to that meter size. No refund will be made of previously paid system capacity charges.

6.2.4.3 Credits

Credits on water service charges shall be given for leakage where it appears that the leakage was not caused by negligence of the owner and/or occupants of the premises. This credit shall be in the form of a reduction of the water rates such that the rate charged does not exceed the second rate step as set forth in Schedule 4. This credit shall be available only once in a twelve-month period.

To obtain such credit, the owner must make diligent efforts to provide repairs and provided either a plumber's receipt or letter itemizing any parts and repairs provided by the owner. Upon submission of proof of repair of the leak, the District will evaluate, determine and apply the appropriate credit.

6.2.5 Penalties and Collection of Delinquent Water Bills

6.2.5.1 Penalties

Where bills for water service are not paid on or before the date stated on the bill, a penalty of ten percent (10%) of the amount due shall be added to the bill.

6.2.5.2 Payment Agreements

With the approval of the Fiscal Officer, a water service customer may enter into a payment agreement involving partial

payments in the amount of ten dollars (\$10.00) or more per month to bring a delinquent account up to date. Failure to make payment under such payment agreement will render the agreement null and void and cause the District to undertake the collection methods set forth below.

Partial payments made without such formal agreement will be accepted but will not prevent the District from undertaking the collection methods set forth below.

6.2.5.3 Collection of Delinquent Water Bills

Once a penalty has been imposed on a delinquent bill, all subsequent charges which accrue and remain unpaid will likewise be considered delinquent and subject to additional penalties. The District reserves the right to take any or all of the following measures to collect delinquent water service charges and penalties:

6.2.5.3.1 Termination of Service

If the water service charges and penalties have not been paid within (40) forty days of original billing date, the District may terminate water service to the premises. Ten days prior to termination of service, notices regarding the date that water service will be discontinued will be sent to both the owner and the occupant of the premises as being jointly liable for payment of the bill. An individual who is served a shut-off notice may request a meeting or hearing with the Fiscal Officer to explain why service should not be terminated.

If there are delinquent charges on a bill incurred on behalf of an apartment building or other non-owner occupied building, the District will send termination of service notices to the owner, tenant, and/or other users of water service.

If the building is a multi-family, tenant occupied dwelling, the District will post the shut-off notice and in the hallway of each floor of the dwelling and/or on all entrances to the building and/or its separate units.

A turn-on/turn-off fee set forth in Schedule 3, will be charged to every customer who receives a shut-off notice and thereafter fails to make payment or acceptable arrangements before the scheduled shut-off date where such failure results in a District employee's being sent to the customer's premises for the purpose of termination of service, whether or not such service is terminated at that time.

6.2.5.3.2 Certification As Lien Against Property

In cases where the owner occupies the premise to which water service is provided by the District and where such owner has an Application for Service on file, the owner's failure to submit payment for service with any penalties may result in the certification of the charges with penalty to the County Auditor for placement upon the real property tax list and duplicate against the property served by the connection pursuant to §6103.02(A) of the Ohio Revised Code. The lien will be released upon payment in full of the certified amount to the County Treasurer. No partial payments will be accepted for unpaid

charges after certification of a delinquent bill to the County Auditor.

6.2.5.3.2.1 Certification Fee

In cases where the District certifies delinquent water bills as liens upon property, the District will impose a Certification Fee, set forth in Schedule 3.

6.2.5.3.3 Collection by the Prosecutor's Office

If the water service charges and penalties have not been paid within (40) forty days of original billing date, the District may turn the delinquent bill over to the Office of the Prosecuting Attorney for any and all appropriate legal action.

6.2.5.3.4 Cancelled Application for Service

When water has been turned off for more than thirty (30) days, the meter may be removed and the Application for Service deemed cancelled. Applications for Service deemed cancelled require a reinstallation fee.

6.2.5.3.5 Restoration of Discontinued Water Service

When water service is discontinued because of payment delinquencies, the District will not restore service until all amounts due and unpaid have been paid in full. If owner or occupant information changes between the time of shut-off and restoration, a new application for water service must be signed and submitted to the District before service will be restored and an application fee will be required.

6.2.6 Voluntary Discontinuation of Water Service

When the property receiving water service is sold or when the occupant moves out, the original applicant and/or person liable for the bills shall notify the District to shut off the water service and provide names of the new owner, resident or vacancy status. The original applicant and/or person(s) liable for the bill remains liable for water service charges at the address for which the original applicant and/or person(s) liable have requested service until the service is turned off by the District.

6.2.7 Temporarily Inactive Accounts

Water shall be turned on or off at any water service line or connection upon request of the water service applicant. In the case of applicants' requesting temporary discontinuation of service which would result in no minimum billings, the applicant must notify the District of the request, have the property's meter shut off by a District employee, and pay the turn-on/turn-off fee set forth in Schedule 3. At that time, the account will become inactive and minimum charges will not apply. In order to re-connect service, the applicant must notify the District of the date water is to be restored and pay the turn-on fee set forth in Schedule 3.

6.2.8 Miscellaneous Charges

6.2.8.1 Dishonored Checks/Bad Check Fee

Any check which is dishonored, whether due to insufficient funds or any other reason, shall be subject to a "Bad Check Fee" as shown in Schedule 3. After the imposition of a "Bad Check

Fee," the Sewer District may require the customer to make future payments by certified check, money order, or cash.

If the customer fails to make payment on the dishonored check, water service will be discontinued until such time as all outstanding delinquent balances and fees are paid in full.

6.2.8.2 Meter Testing Fees

The charges for removal, testing, and reinstallation are set forth in Schedule 5.

6.3 SEWER SYSTEM

6.3.1 Sewer Plan Review Fee

At the time of plan submission for District approval, pursuant to Article III of these Regulations, a fee, set forth in Schedule 3, shall be required for plan review. Plans shall be subject to a new plan review and additional plan review fee if commencement of construction does not take place within twelve months of the date of the initial approval letter. All plan approvals expire twelve months from the date of issuance.

6.3.2 Sewer Inspection Fee

Prior to commencement of sewer line construction, pursuant to Article III of these Regulations, a fee, set forth in Schedule 3, shall be required for inspection of the proposed construction.

6.3.3 Connections to the Sewer System

The connection to a sewer service branch pursuant to Article III of these Regulations is accomplished by the submission of an application for a Permit to Connect and payment of the related fees. No permits will be issued without payment in full of all fees, i.e., Permit to Connect and System Capacity.

6.3.3.1 Permit to Connect Fee

The application for a permit to connect shall be accompanied by a permit fee, set forth in Schedule 3.

6.3.3.2 Sewer System Capacity Charge

A separate service connection is required for each structure for which the District provides sewer service except as authorized by the Sanitary Engineer. A system capacity charge, based on type and size of connection, shall be required for each structure utilizing District sewer facilities and is set forth on Schedule 1. The system capacity charge must be paid in full before the District will make a building lateral inspection.

6.3.3.3 Application for Sewer Service

All persons or entities wishing to obtain sewer service, whether on new or existing service branches, shall make written application on a form provided by the District. Such application must include the name and address of the property owner, the name of any occupant of the premises if the occupant is not the owner, the address where bills shall be mailed, and the address of the premises served.

The District requires an application fee, as set forth in Schedule 3, where service will commence through an existing service branch. No additional fee is required for sewer service for a new branch where a fee for Permit to Connect has been paid. Where water and sewer service are initiated simultaneously, the District will charge only one application fee, see Schedule 3.

The District will permit the commencement of service before the application is signed. The property owner must, however, sign the application and pay the associated application fee within thirty (30) days of the date initial service is initially provided. If the signed application is not received within this (30) day period, sewer service shall be discontinued.

No application for sewer service shall be approved and no service shall be supplied to any applicant where the applicant is indebted, at the time of application, to the District for services supplied, work performed, material furnished or penalties imposed by the District.

6.3.4 Liability for Payment for Sewer Service

The application for sewer service constitutes a binding agreement upon those persons who sign, and they are jointly and severally liable for payment of any and all sewer service charges which accrue to the property whose address is noted in the application.

In the event a sewer bill becomes delinquent, the District reserves the right to use every effort to collect the amount due from any or all of the signatories to the application.

6.3.4.1 Landlord/Tenant Responsibilities for Sewer Bills

The Clermont County Sewer District will attempt to collect sewer service charges from tenants whose names are listed on the Application for Service. The owner of property (landlord) shall, however, be ultimately responsible for payment of all charges for service incurred by the tenant while on the landlord's premises.

When a tenant's bill is delinquent, the landlord shall be notified of the delinquent amount. If the landlord and/or tenant fail to pay the bill within forty days of the due date printed on the bill, the District will commence collection procedures as set forth below.

When the tenant-applicant moves, the tenant-applicant shall notify the District to discontinue service.

6.3.5 Sewer Service Rates

6.3.5.1 Standard Sewer Rates

The charges for sewer use as determined by metering of the water, discharge, or a reasonable estimate shall be computed as shown in Schedule 4. Rates for sewer customers who do not have County water service are also shown in Schedule 4.

6.3.5.2 Minimum Sewer Charges

All sewer service branches or connections are subject to a minimum charge based on the size of the water meter as shown in Schedule 4. The minimum charge applies only where sewer service has been available for fifteen (15) days or more; otherwise, the District will pro-rate the minimum charges based on actual days of service.

6.3.5.3 Miscellaneous Charges

See Schedule 3.

6.3.6 Billing and Payment for Sewer Service

6.3.6.1 Billing for Sewer Service

Bills for sewer service, including minimum charges and penalties, shall be mailed to the person and address specified on the sewer service application. The person's failure to receive bills for sewer service shall not relieve the person from responsibility for timely payment. A duplicate bill may be obtained upon request to the District. Bills shall indicate date of billing and the last date upon which payment may be made before a penalty will be imposed.

The District will send a bill to the person and address specified on the application for other services performed or to be performed, and for materials furnished, labor, inspection, connection charges, etc. For new connections, sewer service charges commence when the District's inspection pursuant to Section 3.3.4 is complete. For existing connections, sewer service charges commence at the time the District takes a beginning read after a new request for service has been received.

6.3.6.2 Seasonal Billing for Residential Users

For single family, residential customers, seasonal billing periods are established to provide an equitable means of billing sewer charges during summer months when the entire volume of metered water may not find its way into the sewer system due to lawn, pool, and garden uses.

6.3.6.1.1 Winter Billing

Effective: Sewer bills issued in billing periods January, February, March, and April.

Rate: The rate per thousand gallons is the same whether the bill is a summer bill or winter bill.

Minimum bill: Based on minimum usage per Schedule 4.

Maximum bill: The number of gallons charged each customer during winter billing is the actual, metered volume of water used. The highest level of consumption recorded during this period will establish the maximum level that will be billed for the following summer period. This usage is reestablished annually.

6.3.6.1.2 Summer Billing

Effective: Sewer bills issued in billing periods May, June, July, August, September, October, November, December

Rate: The rate per thousand gallons is the same whether the bill is a summer or winter bill.
See Schedule 4 for the rate.

Minimum bill: Based on minimum usage per Schedule 4.

Maximum bill: The number of gallons charged each customer during the summer billings shall not exceed the previous winter's highest usage recorded for a full billing period. Customers who have no winter use of record will have their "summer cap" established after their first full billing period at actual usage or 7,500 gallons per month, whichever is lower.

6.3.6.2 Time of Payment for Sewer Service

Charges for sewer service rendered, including minimum charges, miscellaneous charges and penalties, shall be payable on or before the date stated on the bill.

6.3.6.3 Sewer Rates, Fees and Charges

6.3.6.3.1 Standard Rates

The charges for sewer use shall be determined by metering of the water, or a reasonable estimate, on the basis shown in Schedule 4. Rates for sewer customers who do not have a connection to the County water service are shown on Schedule 4.

6.3.6.3.2 Minimum Charges

All sewer service branches or connections are subject to a minimum charge based on the size of the water meter for commercial users or number of dwelling units for residential users. Such charges are shown on Schedule 4. The minimum charge may apply where sewer service has been available for fifteen days or more, or the District may pro-rate the minimum charge based on actual days of service.

6.3.6.4 Credits

Credit on sewer charges shall be made for leakage where it appears to the District that the leakage did not find its way into the sanitary sewer and that the leakage was not caused by fault of the owner and/or occupants of the premises. This credit shall be a reduction from the billed amount to the highest winter usage on record as determined by the bills from January through April. The credit shall only be available once in a twelve month period. The owner must make diligent efforts to provide repairs. To receive the above credit, the owner/occupier must produce either a plumber's receipt or letter itemizing any parts and repairs made whereupon the District will evaluate, determine and apply the appropriate credit.

6.3.7 Penalties and Collection of Delinquent Sewer Bills

6.3.7.1 Penalties

Where bills for sewer service are not paid on or before the date stated on the bill, a penalty of ten percent (10%) of the amount due shall be added to the bill.

6.3.7.2 Payment Agreements

With the approval of the Fiscal Officer, a sewer service customer may enter into a payment agreement involving partial payments in the amount of ten dollars (\$10.00) or more per month to bring a delinquent account up to date. Failure to make payment under such payment agreement will render the agreement null and void and cause the District to undertake the collection methods set forth below.

Partial payments made without such formal agreement will be accepted but will not prevent the District from undertaking the collection methods set forth below.

6.3.7.2 Collection of Delinquent Sewer Bills

Once a penalty has been imposed on a delinquent bill, all subsequent charges which accrue and remain unpaid will likewise be considered delinquent and subject to additional penalties. The District reserves the right to take any or all of the following measures to collect delinquent sewer service charges and penalties.

6.3.7.2.1 Termination of Service

If the sewer service charges and penalties have not been paid within (40) forty days of original billing date, the District may terminate sewer service to the premises. Ten days prior to termination of service, notices regarding the date that sewer service will be discontinued will be sent to both the owner and occupants of the premises served. An individual who is served a shut-off notice may request a meeting or hearing with the Fiscal Officer to explain why service should not be terminated.

If the building is a multi-family, tenant occupied dwelling, the District will post the shut-off notice and in the hallway of each floor of the dwelling and/or on all entrances to the building and/or its separate units.

A turn-on/turn-off fee set forth on Schedule 3 will be charged to every customer who receives a shut-off notice and thereafter fails to make payment or arrangements for payment before the scheduled shut-off date where such notice and customer's failure results in a District employee's going to the customer's premises for the purposes of discontinuing service.

6.3.7.2.2 Re-connection of Discontinued Sewer Service

When sewer service is discontinued because of payment delinquencies, the District will not restore service until all amounts due have been paid in full.

If owner/occupant information changes subsequent to the discontinuation of service, a new application for sewer service must be signed and submitted to the District before service will be restored and an application fee will be required. In addition, a re-connection charge, equal to the actual cost to the District for the disconnection and re-connection of the service, see Schedule 3, shall also be paid. A turn-on fee will be required.

6.3.7.2.3 Certification As Lien Against Property

Failure to submit payment for service with penalty may result in the certification of the charges with penalty to the County Auditor for placement upon the real property tax list and duplicate against the property served by the connection pursuant

to §6117.02(A) of the Ohio Revised Code. The lien will be released upon payment in full of the certified amount to the County Treasurer. No partial payments will be accepted for unpaid charges after certification of a delinquent bill to the County Auditor.

6.3.7.2.3.1 Certification Fee

In cases where the District certifies delinquent water bills as liens upon property, the District will impose a Certification Fee, set forth in Schedule 3.

6.3.7.2.3 Collection by the Prosecutor's Office

If the sewer service charges and penalties have not been paid within (40) forty days of original billing date, the District may turn the delinquent bill over to the Office of the Prosecuting Attorney for any and all appropriate legal action.

6.3.7.2.4 Cancelled Application for Service

When sewer service has been turned off for more than thirty (30) days, the meter may be removed and the Application for Service deemed cancelled. Applications for Service deemed cancelled require a reinstallation fee.

6.3.7.2.5 Restoration of Discontinued Sewer Service

When sewer service is discontinued because of payment delinquencies, the District will not restore service until all amounts due and unpaid have been paid in full. If owner or occupant information changes between the time of shut-off and restoration, a new application for service must be signed and submitted to the District before service will be restored. An application fee will be required.

6.3.8 Voluntary Discontinuation of Sewer Service

When premises receiving sewer service is sold or when the occupant moves out, the person(s) liable for the bills shall notify the District to discontinue the sewer service and provide names of the new owner and/or occupant or information regarding the vacancy of the premises. The owner of the premises remains liable for sewer service charges unless and until the premises have been conveyed to a new owner.

6.3.10 Miscellaneous Sewer Charges

6.3.10.1 Dishonored Checks/Bad Check Fee

Any check which is dishonored, whether due to insufficient funds or any other reason, shall be subject to a "Bad Check Fee" as shown in Schedule 3. After the imposition of a "Bad Check Fee," the Sewer District may require the customer to make future payments by certified check, money order, or cash.

If the customer fails to make payment on the dishonored check, sewer service will be discontinued until such a time as all outstanding delinquent balances and fees are paid in full.

6.3.10.1 Industrial Waste Pretreatment Program Cost Recovery Charges

The costs of maintaining an IWPT program, as required by federal and state regulations, shall be recovered from users subject to the IWPT program requirements. The District has established a cost accounting system to identify annual costs associated with the IWPT operation. These costs shall be

characterized as: administration, user monitoring and reporting, and special treatment of industrial waste pollutants.

The costs to any particular user over any particular period of time shall be based on that user's contribution to the total costs for each cost center:

- A. Monitoring and reporting costs shall be distributed on the basis of frequency and complexity of monitoring each industry's discharge.
- B. Administrative and special treatment costs shall be distributed on the basis of the quantity of pollutants requiring such treatment discharged by each industry. Surcharges for extra-strength pollutants shall be added to the basic charges for sewer service. The general and unit cost surcharges for various pollutants shall be based upon the formula set forth in Schedule 7.

ARTICLE VII
ENFORCEMENT OF
DISTRICT REGULATIONS

	<u>Page</u>
7.1 General.	127
7.2 Cease and Desist Order	127
7.3 Nuisance. . . . .	.128
7.4 Termination of Service	128
7.5 Falsifying Information.	128

ARTICLE VII
ENFORCEMENT OF
DISTRICT REGULATIONS

7.1 General

In addition to the penalties and enforcement provisions set forth in the previous Articles, the District reserves the right to enforce the regulations using the methods and procedures set forth below.

7.1.1 Notice of Violation

Any person violating any provision of these regulations shall be served a written notice of violation by the Sanitary Engineer or his designee stating the nature of the violation(s) and providing an appropriate time for the satisfactory correction thereof. If more than one provision of these regulations is violated, each separate violation shall be considered a separate offense. The offender shall, within the period of time stated in the notice, remedy and permanently cease all violations.

7.1.2 Emergency Action

In the event of an emergency, the Sanitary Engineer may take action necessary to prevent or end a violation.

7.2 Cease and Desist Order

The District may, where a violator of these Regulations has failed to comply with a notice of violation, issue a cease and desist order to the violator. In the event a violation causes a public health problem or causes the District to violate its NPDES permit limits, the District may request the Board of Health to issue a cease and desist order or evacuation order.

7.3 Nuisance

In the event a violation constitutes a nuisance as defined by Ohio law, the District will issue a cease and desist order. Should the violator fail to comply with such order, the District will request Office of the Prosecuting Attorney to file a complaint for injunction in the Clermont County Court of Common Pleas and obtain a temporary restraining order to end the violation.

7.4 Termination of Service

At all times the District reserves the right to terminate service to any user who is found by the District to be in violation of any of the Regulations set forth herein. Service will not be restored until the violation is corrected and any necessary fees associated with correction of the violation and restoration of service are paid in full.

7.5 Falsifying Information

Any person who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed with the District or required to be maintained pursuant to these regulations, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these regulations, shall be criminally prosecuted as allowed by law. Each false report shall constitute a separate violation.

SCHEDULE 1
SYSTEM CAPACITY CHARGES

<u>User Class</u>	<u>Sewer</u>	<u>Water</u>
Residential:		
Single Family Residence	\$2,080	\$1,220
Multi-Family		
One Bedroom:	1,220	760
Two Bedroom:	1,460	920
Three Bedroom:	1,705	1,110
Public Water Supplier Bulk Sales:	N/A	\$1.12/GPD

To qualify for this user class, entity must be a "Public Water Supplier" as defined by O.E.P.A. serving a customer base outside the service area of Clermont County Sewer District.

Fees will be based on the capacity volume guaranteed to the Water Supplier. The actual volume purchased will be reviewed on an annual basis to determine peak and average demand. Should the seasonal average daily volume in any calendar year exceed the guaranteed capacity by more than 10%, additional capacity fees shall be assessed.

Minimum billings will require payment of 80% of the purchased capacity for the first five (5) years, should actual demand fall below the 80% threshold. After this five year interval, the water will be billed based on actual consumption. All water billed will be at the lowest rate in effect at the time of usage.

Capacity purchased under this class is based on availability and is purely at the discretion of the Board of County Commissioners.

Commercial, Industrial, Food Service:

Industrial, Commercial and Food Service System Capacity
Charges based on water meter size.

<u>Meter Size</u>	<u>Sewer</u>	<u>Water</u>
5/8" X 3/4" Industrial/Commercial	\$2,915	\$1,830
5/8" X 3/4" Food Service	3,540	1,830
1" Industrial/Commercial	7,345	4,590
1" Food Service	7,960	4,590
1-1/2" Industrial/Commercial	14,660	9,180
1-1/2" Food Service	15,275	9,180
2" Industrial/Commercial	23,480	14,685
2" Food service	24,105	14,685
3" Industrial/Commercial	46,970	29,340
3" Food Service	47,600	29,340

SCHEDULE 1 (cont'd)

SYSTEM CAPACITY CHARGES

System Capacity charges for all other types of facilities or water meter sizes not specifically described above shall be established by the County Sanitary Engineer.

All fees paid are in effect for a period of one year from the date of purchase. If permit(s) are not utilized within one year, new application(s) will be required with credits issued on all fees paid except water and sewer permit fees. New permit fee(s) will be due along with existing system capacity fees, water connection fees, meter fees less credits previously paid.

Resolution No. 21-98

Effective Date: May 1, 1998

SCHEDULE 2

WATER METER AND INSTALLATION FEES

<u>Meter Size</u>	<u>Full Service Installation Fee</u>	<u>Meter Fee</u>
5/8" x 3/4"	\$ 630.00	\$ 50.00
1"	665.00	95.00
1 1/2"	1,180.00	185.00
2"	1,390.00	250.00
3"	N/A	1,315.00
4"	N/A	1,805.00
6"	N/A	4,235.00
8"	N/A	3,560.00

Full service setting available up to 2". 3" and larger require meter vault to be constructed by private contractor.

SCHEDULE 3
OTHER FEES AND CHARGES

	<u>Water</u>	<u>Sewer</u>
Plan Review Fee	0.5% of Construction Cost Estimate	
Inspection Fees	2.25% of Construction Cost Estimate	
Bond Televising		\$ 1.25 per foot
Permit Fee	\$25.00	\$25.00
Application Fee	\$25.00	\$25.00
Turn-off/Turn-on Fee	\$25.00	Actual cost to disconnect and restore sewer service branch based on labor and material at time work is performed.
Bad Check Fee	\$25.00	\$25.00
Certification Fee	\$50.00	\$50.00
Re-Connection of ½ the cost of installation canceled contract service		Actual cost to restore sewer service branch based on labor and material at time work is performed.

SCHEDULE 4
WATER AND SEWER USE RATES

Water Rates: The charges for and the amount to be paid for water used, as determined by metering of the water, shall be computed in accordance with the following schedule:

- a. Rates per 1000 gallons for water usage for existing customers with a "winter usage" history.

Minimum Water Usage	\$2.85
Over Minimum to 1.5X	2.14
Over 1.5X to 2.0X	3.09
Over 2.0X	4.23

"X" equals highest "winter usage" or the minimum, whichever is greater.

- b. Water bills issued for read periods in January, February, March and April are to be "winter usage" bills. Highest "winter usage" to be established annually. Bills issued for reads in May or after of each year to reflect new highest "winter usage" for the next 12 months.
- c. "Winter usage" for new residential customers is to be established during their first full bimonthly billing period.

Minimum Charges: All water service branches or connections shall be subject to a minimum bimonthly charge based on the size of the water meter or on the number of residential units served by one meter, whichever is greater, as set forth in the following table:

<u>Minimum Meter Size</u>	<u>Bimonthly usage</u>	<u>Minimum Bimonthly Charge</u>
5/8" x 3/4" residential	5,000 gals	\$ 14.25
5/8" x 3/4" nonresidential	8,000 "	22.80
1"	20,000 "	57.00
1 1/2"	40,000 "	114.00
2"	64,000 "	182.40
3"	128,000 "	364.80
4"	200,000 "	570.00
6"	400,000 "	1,140.00
8"	640,000 "	1,824.00
10"	920,000 "	2,622.00
Multifamily per residential unit	5,000 "	14.25 per unit

Temporary Water - Metered	Same as rates above - based on meter size
Temporary Water - Not metered	\$200.00 per day

Effective 10/1/00

SCHEDULE 4 (cont'd) WATER AND SEWER USE RATES

Sewer Service Charge: Charges for sewer service provided by the District shall be based on the amount of metered water used, as established by the Board pursuant to the following methodology:

Formulas

1. Basic User Charge Formula: $UC = OMR/BG = \$/1000 \text{ gallons}$

UC - User Charge
OMR - Operation, Maintenance and Replacement Cost
BG - Billable Gallons, in thousands of gallons

2. Basic Sewer Service Charge:

$SSC = UC + ((DS + OCC)/BG) = \$/1000 \text{ gallons}$
SSC - Sewer Service Charge per thousand gallons
DS - Debt Service
OCC - Other Capital Cost

3. Rate Adjustment:

RA = Annual increase/decreased costs for Electric,
Chemicals, Gas, Sludge Disposal per 1000 gallons billable.

4. Billing Charge:

$BC = Q * (SSC (+/-) RA + (S_{u/p \ 1} + S_{u/p \ 2} + S_{u/p \ 3} + \text{Etc.}))$
Q = Quantity of water used during the period
 $S_{u/p}$ = Surcharge for extra strength pollutants (See Schedule 7)

Sewer Rates: The charges for and the amount to be paid for sewer services, as determined by metering of the water or waste discharge, shall be computed in accordance with the following schedule:

For the minimum amount of usage, as indicated below, \$4.07/1000 gallons per month, plus or minus rate adjustment changes as defined and determined above.

All gallons over minimum used per month, \$4.07/1000 gallons per month, plus or minus rate adjustment changes as defined and determined above.

Effective 10/1/00

SCHEDULE 4 (cont'd)
WATER AND SEWER USE RATES

Bimonthly Basis:

First 5,000 gallons	\$4.07/1000 gallons
All over 5,000 gallons	\$4.07/1000 gallons

Minimum Charge, Bimonthly Basis

Single Family Residence	5,000 gallons	\$20.35
Multifamily Residence Per Unit	5,000 gallons	\$20.35 Per Unit

Unmetered Residential Sewer Service per Unit(avg.)	5,000 gallons	\$20.35
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Unmetered Non-Residential Sewer Service (avg.)	8,000 gallons	\$32.56
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Seasonal billing periods are established to provide an equitable means of billing sewer charges during summer months.

1. Sewer bills issued for read periods in May, June, July, August, September, October, November and December are to be "summer cap" bills
2. Sewer bills issued for read periods in January, February, March and April are to be "winter usage" bills.
3. "Summer cap" bills shall not be less than minimum. "Summer cap" bills shall not exceed highest "winter usage" bill. Highest "winter usage" is to be established annually.
4. During non-summer periods, read periods January through April, sewer billing will be based on the actual metered volume of water used or waste discharged by a customer or the appropriate minimum for a non-metered customer.
5. "Summer cap" for new residential customers is to be established during their 1st full bimonthly billing period.
6. No "summer cap" credits are permitted for multi-family or non-residential customers.

Effective 10/1/00

SCHEDULE 4 (cont'd)
WATER AND SEWER USE RATES

<u>Meter Size</u>	<u>Monthly Bimonthly Usage</u>	<u>Minimum Bimonthly SSC</u>
5/8"x 3/4" (Residential)	5,000 Gals.	\$ 20.35
5/8"x 3/4" (Non-residential)	8,000 "	32.56
1"	20,000 "	81.40
1-1/2"	40,000 "	162.80
2"	64,000 "	260.48
3"	128,000 "	520.96
4"	200,000 "	814.00
6"	400,000 "	1,628.00
8"	640,000 "	2,604.80
10"	920,000 "	3,744.40
Multi-Family Residence Per Unit	5,000 "	20.35/Unit

Effective 10/1/00

SCHEDULE 5
CHARGES FOR WATER METER TESTING

<u>Meter Size</u>	<u>Charge</u>
5/8" x 3/4"	\$ 50.00
1"	100.00
1-1/2" and 2"	200.00
3" and 4"	250.00
6"	275.00
8"	300.00
10"	375.00
12"	400.00

SCHEDULE 6
FIRE SUPPRESSION FEES

Initial Fire Suppression Fee	\$200
(Permit Application January - June)	

Initial Fire Suppression Fee	\$100
(Permit Application July - December)	

Annual Fire Suppression Fee	\$200
(Due on or before January 14)	

SCHEDULE 7
SURCHARGES FOR EXTRA STRENGTH POLLUTANTS

Surcharges for extra strength pollutants shall be added to the basic charges for sewer service. Unit cost surcharges for various pollutants shall be based upon the following formula:

$$S_{u/p} = \frac{(C_p/dis) - (C_p/std)}{C_p/std} * \%OMR_p * SSC$$

$S_{u/p}$	=	Unit surcharge for extra strength pollutants
C_p/dis	=	Pollutant strength in wastewater discharge
C_p/std	=	Pollutant strength in standard wastewater
$\%OMR_p$	=	Percent OM&R costs allocated to treatment of a particular pollutant
SSC	=	Sewer Service Charge

Surcharges shall be based in the OM&R costs for the recipient waste treatment plant only. Negative surcharges (i.e. - credits for discharges of less than standard concentrations) shall not apply.

The $\% OMR_p$ cost allocations shall be as follows:

For plants not required to remove ammonia

40% to volume treated

30% to BOD₅ removal

30% to SS removal

For plants required to remove ammonia

35% to volume treated

30% to BOD₅ removal

20% to SS removal

15% to NH₃N

where:

BOD₅ = Five-Day Biochemical Oxygen Demand (mg/l)

SS = Suspended Solids (mg/l)

NH₃N = Ammonia Nitrogen (mg/l)

**SCHEDULE 8
LIMITED TAP-IN AGREEMENT
ON
RESTRICTED BASIS**

This Agreement, is executed by and between _____,
_____, whose mailing address
is _____,
_____, hereinafter referred
to as "**Owners**" and the **Clermont County Sewer District**, hereinafter referred to as
"**District.**"

WHEREAS, Owners desire to obtain (water) (sewer) service from District from
an existing (water) (sewer) main which does not serve owners' property by way of
tap-in through an extended (water) (sewer) line passing through property owned by
other than Owners, and

WHEREAS, District, although not required to do so under the existing
circumstances, desires to cooperate with Owners in providing water service to the
premises of Owners while at the same time insuring the cooperation of Owners and
any future extensions of the (water) (sewer) main beyond the Owners' premises for
the welfare of future property owners in any areas where the said main might be
extended,

NOW, THEREFORE, Owners and District agree as follows:

1. In consideration of the District making special concession to Owners to
allow a tap-in on a main not serving Owners' specific premises and the
mutual covenants and agreements herein contained, together with payment by
Owners of the tap-in fees and service charges provided by the rules and
regulations of the District, District hereby agrees that Owners may, upon
obtaining a duly executed and recorded easement through the required
property, tap-in to the existing (water) (sewer) line located approximately ____
_____ feet _____
_____ of the Owners' premises.
2. The parcel of real estate subject to this specific restricted tap-in is
located in the County of Clermont, State of Ohio, in _____
Township, and is more particularly described as follows:

3. Owners may install a one inch service line from their property to the existing Clermont County (water)(sewer) main and agree to pay a present tap-in fee and any other present expenses as required by the rules and regulations of the District. Said installation of the (water)(sewer) line tap-in will be supervised and installed according to the specifications of and final approval of the District, its agents, employees or representatives.
4. Owners further agree that all expense relating to the installation and maintenance of said one inch service line from their premises to the existing (water)(sewer) main will be maintained at Owners' sole expense and that said service line shall be used only to provide water service to one principal residence and appurtenant buildings thereto on Owners' property.
5. Owners further agree that in and for consideration for the restricted tap-in, Owners agree for themselves and their successors, heirs and assigns, that they will, upon determination by District to extend the existing (water)(sewer) main to Owners' property or beyond, pay their proportionate share of any expenses incurred by all property owners located in the extended portion of the line for the purpose of obtaining (water)(sewer) service to any additional property owners as a result of said extension. Said fees and charges shall be determined at the time of said extension and shall be in accordance with the then existing rules and regulations of the District.
6. Owners further agree for themselves and their successors, heirs and assigns, that they will upon such extension or relocation of the (water)(sewer) main, terminate their service easement contemplated in this agreement and will at their sole and exclusive expense remove the said water meter under the direction and control of the District and relocate service to the main within the confines of their property and will then tap-in to the (water)(sewer) main as extended for service to their property and that this restricted tap-in shall be null and void and of no further effect.
7. Owners acknowledge that at the time of the signing of this agreement, they have obtained, at no expense to District, necessary easements in order to run the service line described herein and that said easements shall be properly recorded of record at Owners' expense and that any agreements with the owners of the servient estates regarding installation, construction, maintenance or removal shall be performed by Owners at Owners' expense.
8. Owners further agree that any expenses relating to the relocation of their specific (water)(sewer) service which is required by the rules and regulations of the District to be performed by the District shall be billed to Owners or their successors, heirs and assigns and shall be paid prior to approval of the relocated tap-in.
9. Owners understand and acknowledge for themselves, their successors, heirs and assigns, that this agreement is a restricted and conditional agreement of a temporary nature and that upon failure of the Owners to comply with the terms hereof, said restricted tap-in can and will be, upon written notice to owner, terminated by District and that said (water)(sewer) service may be terminated for failure to undertake the required relocation

of the service line as specified herein; failure to pay and keep current any

bills for (water)(sewer) usage, and any violation or infraction of the rules and regulations of the District. Owners further agree for themselves, their successors, heirs and assigns, that this agreement shall be in the form of a conditional easement upon land of owner and shall be a covenant running with the land and agrees to notify any subsequent purchasers of the existence of this temporary tap-in and its conditional nature.

10. Owners further agree to notify District immediately upon any transfer of ownership in said property specifying in said notice the name of the transferee and affirmatively stating that the transferee has been notified of the conditional and restricted nature of the tap-in service and of the transferee's obligation in the event of any extension of the (water)(sewer) main as provided herein.

IN WITNESS WHEREOF, the said Owners and District have hereunto set their hands to this agreement this _____ day of _____.

Signed in the presence of:

Owners:

Clermont County Sewer District:

By: _____

Printed Name & Title

STATE OF OHIO,

SS:

COUNTY OF CLERMONT,

On this _____ day of _____, before me, a Notary Public, in and for said County, personally came _____ Owners, and acknowledged the signing thereof to be their voluntary act and deed.

WITNESS my official signature and seal on the day last above mentioned.

(SEAL)

Notary Public

My Commission Expires

STATE OF OHIO,

SS:

COUNTY OF CLERMONT,

On this _____ day of _____, before me, a Notary Public, in and for said County, personally came _____ Clermont County Sewer District, Sanitary Engineer, and acknowledged the signing thereof to be his voluntary act and deed.

WITNESS my official signature and seal on the day last above mentioned.

(SEAL)

Notary Public

My Commission Expires

SCHEDULE 9
APPLICATION FOR WATER AND/OR SEWER SERVICE

BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY
CLERMONT COUNTY SEWER DISTRICT
101 EAST MAIN STREET
BATAVIA, OHIO 45103

This Agreement is entered into between the Board of County Commissioners of Clermont County, Ohio, (hereinafter "Board"), by and through the Clermont County Sewer District (hereinafter "District"), and the undersigned customer (hereinafter "Customer") for the express purpose of providing water and/or sewer service to Customer to be paid for by Customer at the rate currently established in the Rules and Regulations of the District as adopted by the Board. In all cases where Customer is not the owner of the premises to be served pursuant to this Agreement, all references to Customer below apply equally to Customer and the owner of the premises to be served. By signing this Agreement, Customer agrees to be bound by the terms set forth below and all applicable Rules and Regulations of the District.

Customer may be required to pay a \$25 fee for the processing of this Application by the District. This fee will be included with the Customer's first billing.

(Please Print)

Customer Name: _____ Phone #: _____

Billing Name (if different from Customer Name): _____

Service Address: _____

Billing Address (if different from Service Address): _____

Name of Owner of Premises (if not Customer): _____

Type of Service Requested:

☐ Water only

☐ Sewer only (specify water service provider: _____)

☐ Both Water and Sewer

Intended Usage:

☐ Residential

☐ Non-Residential

(Business Name, if different from Customer Name: _____)

(Type of Business: _____)

RULES AND REGULATIONS. Customer hereby applies for service from the District's water and/or sewer system. The requested service will be provided at the premises located at the above Service Address. In consideration for the provision of the requested water and/or sewer service, Customer agrees to comply with all duly adopted Rules and Regulations of the District. Customer hereby acknowledges that failure to comply with such Rules and Regulations may result in the termination of water and/or sewer service.

ACCESS TO METER. By signing this Application, you grant permission to employees of CCSD to enter onto your premises to read, inspect or maintain the water meter serving your premises, or for any other reasonable purpose. Further, your signature is an acknowledgment that you are responsible for maintaining the area surrounding water meter in such condition as to permit ease of access to Sewer District employees. Should you fail to do so, with reasonable notice your service will be disconnected.

CHARGES FOR SERVICE. If Customer is a tenant of the premises to be served by this Agreement, both the Customer and the owner of the premises are jointly and severally responsible for all water and/or sewer charges, and both are required to sign this Agreement.

The District will send a bi-monthly bill to Customer at the address set forth above. Customer hereby agrees to pay total water and/or sewer charges by the due date printed on the bill. Customer's failure to pay such charges by the due date will result in the District's adding a penalty to the amount due. Further, should charges remain unpaid for 40 days from the original billing date, the District reserves the right to disconnect Customer's service and take all other measures provided by law to collect such unpaid charges. Customer agrees to hold the Board harmless from any and all damages which may accrue as the result of termination of water and/or sewer service provided pursuant to this Agreement. Should service be scheduled for disconnect for non-payment of charges, Customer is required to pay all administrative charges associated with shut-off.

SCHEDULE 9 (Cont'd)

CHANGE IN OWNERSHIP. Customer shall notify the District of any sale or transfer of the premises at the Service Address and provide the District with the name of the new owner of the premises. Customer agrees to remain responsible for all charges until Customer requests termination of service or an application for service is received from the new owner.

Change in ownership subjects the premises to inspection by the District to insure compliance with the District's Regulations regarding proper use of the District's water and sewer system. The owner of the premises is responsible for the expense of any repairs or alterations necessary to bring the premises into compliance with the Regulations. Such repairs and alterations are required to be made before permanent service is available.

WASTEWATER BACKUPS. The District inspects and maintains the water and sewer system on a regular basis. Customer is advised, however, that from time to time wastewater or other types of back-ups from the District's system can occur onto Customer's premises. In the event of such back-up, Customer is required to notify the District immediately at 732-7040 during office hours, 732-5153 after hours. The District will respond as quickly as possible to evaluate and remedy the cause of the back-up and provide assistance in any clean-up which may be necessary to preserve the health and safety of Customer and other members of the public.

Customer is advised that such back-ups may be prevented by the installation of a back-water preventer on Customer's premises, and Customer is advised to contact a licensed plumber to evaluate the benefits of such a device. Customer is further advised not to store property on the lowest level of Customer's premises where such back-ups may occur, and Customer is advised to contact their insurance agent about obtaining replacement-value property damage insurance with a specific endorsement for water back-up of sewers and drains. The District can not pay for property damage.

I HAVE READ AND UNDERSTAND THE FOREGOING AND HEREBY AGREE TO BE BOUND BY THIS AGREEMENT.

Signature of Customer

Signature of Owner of Premises to be Served (if different from Customer)

Address of Owner

***FAILURE TO RETURN THIS AGREEMENT WITHIN 30 DAYS FROM THE DATE OF THE LETTER WILL RESULT IN TERMINATION OF WATER AND/OR SEWER SERVICE. ***